FISH, WILDLIFE, BOTANY, AND SPECIAL STATUS SPECIES PROGRAM EVALUATION

FINAL REPORT ON EVALUATION FINDINGS *and* RECOMMENDATIONS FOR ACTION PLAN DEVELOPMENT

March 31, 2003

Fish, Wildlife, and Botany Group (WO230)
Renewable Resources and Planning Directorate
Bureau of Land Management
US Department of the Interior
Washington, DC





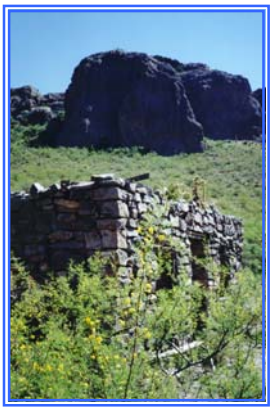






TABLE OF CONTENTS

CHAPTER 1

1.0	Background	10
1.1	Current Status of FWBSSS Programs	10
1.2	Staffing	11
1.3	Budget	11

CHAPTER 2

2.0	Purpose, Objectives, and Methodology	13
2.1	Methodology	13
2.2	BLM FWBSSS Program Questionnaire	14
2.3	Data Analysis	14
2.4	State Visits and On-Site Interviews	14
2.5	Non-Governmental and Public and Private Partner Questionnaire	16
2.6	BLM Databases – Staffing and MIS Analyses	17
2.7	Joint WO230 and State/Field Office FWBSSS Meeting	17
2.8	General FWBSSS Questionnaire Analysis and Findings	17

CHAPTER 3

3.0	Program Information	18

CHAPTER 4

4.0	Areas of Positive Performance	20
4.1	Program Policy and Implementation	20
4.1.1	Strategies for Success – Program and Policy Implementation	20
4.2	Program Accomplishments and Accountability	21
4.2.1	Budget Allocations	21
4.2.2	Resource Protection	21
4.2.3	Strategies for Success – Program Accomplishments and Accountability	21
4.3	Coordination and Communication	22
4.3.1	Internal	22
4.3.2	Strategies for Success – Coordination and Communication – Internal	22
4.3.3	External - Interagency	22
4.3.4	Strategies for Success – Coordination and Communication – External	23
4.3.5	Partnerships	24
4.3.6	Strategies for Success – Coordination and Communication – Partnerships	25
4.4	Staff Resources and Skills	26
4.4.1	Strategies for Success – Staff Resources and Skills	26

CHAPTER 5

5.0	Opportunities for Improvement	27
5.1	Objective 1 – PROGRAM DEFINITION	27
5.1.1	Findings – Land Use Planning	27
5.1.2	Recommendations – Land Use Planning	29
5.2	Objective 2 – RESOURCES AND SKILLS	30
5.2.1	Findings - Staffing	30
5.2.2	Findings - Funding	31
5.2.3	Recommendations – Staffing and Funding	32
5.2.4	Findings – Training and Staff Skills	33
5.2.5	Recommendations – Training and Staff Skills	33
5.3	Objective 3 – CONFORMANCE OF WORK AND BUDGET PRIORITIES	34
5.3.1	Findings – Program Priority Setting	34
5.3.2	Recommendations – Program Priority Setting	35
5.3.3	Findings – Programmatic Recognition	36
5.3.4	Recommendations – Programmatic Recognition	37
5.4	Objective 4 – BUDGET TRACKING AND PROGRAM ACCOUNTABILITY	38
5.4.1	Findings – Support to Other Programs	38
5.4.2	Findings – Application of Benefiting Subactivity Principle	39
5.4.3	Findings – Cost Coding	39
5.4.4	Findings – MIS Accomplishments and Budget Tracking System	40
5.4.5	Findings – Program elements and Workload Measures	41
5.4.6	Recommendations – Budget Tracking and Program Accountability (Integrated)	42
5.5	Objective 5 – PROGRAM POLICY AND GUIDANCE	43
5.5.1	Findings – Policy and Guidance	43
5.5.2	Recommendations – Policy and Guidance	43

CHAPTER 6

6.0	Other Major Findings: Inventory and Monitoring and ESA Program Implementation	45
6.1	Findings – Inventory	45
6.2	Findings – Monitoring	46
6.3	Findings – Monitoring and Data Standards	47
6.4	Recommendations – Inventory and Monitoring	48
6.5	Findings – Endangered Species Act Implementation	49
6.6	Recommendations – Endangered Species Act implementation	52

LIST OF APPENDICES

APPENDIX A - FWBSSS Program Budget History - 1996 – 2002

APPENDIX B - Fish, Wildlife, Botany and Special Status Species Program Questionnaire

APPENDIX C - FWBSSS Questionnaire Data Summary

APPENDIX D - FWBSSS Questionnaire Comment Summary

APPENDIX E - FWBSSS Program Review State Reports

APPENDIX F - State Responses to FWBSSS Program Review Site Visits and Draft Reports

APPENDIX G – Public and Private Partners Opinion Survey Form for FWBSSS Programs, List of Organizations Contacted for the Survey, and Survey Results and Discussion

APPENDIX H - FWBSSS Program Budget Distribution MIS Summary – FY2001

APPENDIX I - General Data Summaries Related to Conduct of the FWBSSS Questionnaire

APPENDIX J – Suggestions to Increase the Visibility of the Botany Program

EXECUTIVE SUMMARY

An evaluation of the BLM WO230 Fisheries, Wildlife, Botany, and Special Status Species (FWBSSS) programs was completed in FY2001-2002. The purpose of the evaluation was to determine if national policies and program direction are effectively being implemented to meet goals and objectives of the FWBSSS programs on BLM administered lands. Findings of the evaluation are based on a questionnaire administered to over 800 employees with responsibilities and/or oversight in FWBSSS and related programs, follow-up site visits with state and field offices to a subset of offices, analysis of the Management Information Systems (MIS) budget accounting system, and a survey of public and private partners that have an active interest in the management of FWBSSS resources on public lands. Identified below are the most significant findings of the evaluation. Additional discussion and analysis are found in the body of this report.

Areas of Positive Performance

This evaluation found a number of offices to be effectively implementing all or parts of the FWBSSS programs. These successes provide useful insight into effective program implementation program.

1. State-level strategic plans link to the national strategic plan, such as the Idaho State Office's COMPASSS document. This allows both staff and managers to have a clear understanding of how field office activities meet statewide priorities and how those fit into broader national priorities. The plan also helps maintain continuity in program implementation as well as knowledge and understanding of the state's programs on a broader level, as the workforce changes.

2. Up-to-date land use plans containing specific management objectives for FWBSSS resources, including species conservation strategies and recovery plan actions. Such plans set expectations and support management decisions for FWBSSS resources. Broad-scale, multi-species assessments are being used, in some locations, to define baseline conditions for species survival and recovery, which can/will be integrated into new planning starts.

3. Direction and guidance integrated at the national level among programs helps states and field offices work together toward common goals and objectives. Setting priorities for budget and project planning between staff groups, and concerted efforts at the state office level (*e.g.*, Alaska), help reduce cost coding inaccuracies. The use of committees to rank and select projects for the Challenge Cost Share program is a positive approach for dispensing program funds to ensure project work is consistent with state and national priorities.

4. Where sufficient staff levels exist, the pursuit and implementation of FWBSSS program objectives is more proactive, and conducted in a manner consistent with FWBSSS program staffs' necessary support role to other programs. In these

instances, staffs are encouraged to maintain professional qualifications through training, attendance to professional meetings, and continuing education.

5. High levels of communication and coordination exist between BLM staff and other federal and state agencies. This ensures agency understanding of priority work, and facilitates regulatory process requirements, such as section 7 consultation under the Endangered Species Act.

6. Staff effectively use partnerships to complete FWBSSS program work. Involving constituency groups to accomplish program work increases understanding of the BLM's mission. This generates visibility and external support for the FWBSSS programs, while helping to meet the Administration's conservation goals through consultation, cooperation and communication with communities and partner groups.

Opportunities for Improvement

Effective FWBSSS program implementation has been hindered in many Bureau offices for a variety of reasons. Listed below are the significant impacts and barriers found through the course of this evaluation, with corresponding initial recommendations for correction.

1. Many Resource Management Plans (RMPs) inadequately describe or establish FWBSSS objectives needed to provide for proactive management of FWBSSS resources. ESA section 7 consultation is lagging, or lacking altogether, on many plans. Some plans, including those classified as time sensitive, lack comprehensive species conservation elements required by the ESA and BLM policy. Consequently, section 7 consultation with the Services may be delayed and subsequently hinder accelerated implementation of land use plans, especially those deemed to be time sensitive.

   Recommendation: Review and reissue BLM Planning Appendix C Handbook Direction that outlines required species information for new planning starts. Include sections that cover managing public lands for native plant materials. Re-issue the MOA on Streamlining Consultation for Land Use Plans to BLM and FWS offices to highlight and capitalize on the benefits of regulatory agency involvement in the early stages of planning to minimize conflict later in the planning process. Use the pre-plan review process to meaningfully ensure concerns regarding the sufficiency of FWBSSS resource information are addressed and provide relevant information sources to those units where information gaps exist. Establish a program of accountability for state offices to review pre-plans/plans prior to WO submission to insure minimum standards are met.

2. Fish and botany programs lack the standing, attention, and recognition of the wildlife and special status species programs within the BLM mission.

Recommendation: National and State program leads should develop coordinated program strategies for the fish and botany programs that define staff responsibilities, articulate program priorities, and align and integrate program goals with the overall BLM mission. This strategy should be developed with input from resource constituencies so that external partnerships are developed and nurtured. Botany program workloads should be given a place in all budget documents sent to the field. Annual performance goals for work accomplished by these programs should be evaluated and incorporated into the Bureau's Annual Performance Plan.

3. In most areas, FWBSSS programs are understaffed, resulting in predominantly reactive, rather than pro-active programs. This is occurring despite significant increases in FWBSSS funding over the past decade. The reactive nature of FWBSSS programs has affected the Bureau's ability to maintain, develop, and establish partnerships that could be used to complete high priority work.

   Recommendation: Conduct a comprehensive needs assessment, based on the ongoing Bureau workforce planning process, to complete a national staffing strategy so that technical skills are recruited and maintained in locations sufficient to administer proactive FWBSSS programs. Compare Bureau staffing levels with those in the Fish and Wildlife Service and NOAA Fisheries to help determine where increases in BLM staffing are needed to meet ESA consultation workloads. Consistent with the recommendation in number 4 below, review the FWBSSS budget to determine why staffing levels are not commensurate with funding levels, and take corrective actions based on this finding.

4. Approximately one-third of FWBSSS budgets allocated to the field are coded to program elements outside of the purview of FWBSSS programs, and therefore, are not directly addressing or accounting for FWBSSS program needs. Insufficient funding in other program areas, coupled with a lack of adherence to benefiting subactivity principles, has lead to creative interpretation of the benefiting function principles or to miscoding of expenditures to cover costs when FWBSSS provide support to other programs.

   Recommendation: Coordinate with WO800 to accurately determine source of expenditures outside of the 1100 programs (e.g., centrally-funded items, etc.). Establish a consistent proportion for those needs for all activities. Improve coding guidance to reduce inappropriate uses of 1100 funds and insure FWBSSS support work is recovered from the host function/activity. Where funding is insufficient in these programs, explore reprogramming authority or seek higher funding levels in out-year justification requests.

5. The MIS system has shown utility in defining general trends in funding expenditures, and has improved knowledge of appropriate cost coding. The MIS has also demonstrated that workload measures and performance elements are

variable in their reporting and tracking utility among offices, and between staff and managers. FWBSSS program elements fail to adequately describe or capture the magnitude, quality, or complexity of work conducted in the FWBSSS program area. Without adequate descriptions of work that standardize unit costs, Activity Based Cost accounting methods do not provide an objective means for adjusting base programs. If unit costs are high due to task complexity, field offices feel they may be penalized in their base budget allocations when costs are compared between offices.

Recommendation: Conduct a comprehensive review and analysis of existing FWBSSS PE's with state and field representatives to determine if PE's are: (1) meeting needs for describing major workloads (e.g., subsistence management, section 7 consultation, native plant materials); (2) recording meaningful measures; and (3) equating to targets for performance measures. Review and analysis should address potential utility of project codes to provide additional needed description of work accomplished. Ensure findings are integrated into ongoing Departmental efforts to define cross-cutting work activities.

6. In general, basic inventory and monitoring data, storage, and use, varies between offices and states, even though common resources are analyzing similar questions. This puts inventory and monitoring programs at risk to change or elimination subsequent to personnel transfers, and reduces overall cost-efficiency of these programs.

   Recommendation: Convene a working group comprised of field and state office representatives to review existing national data standards to determine sufficiency in addressing multi-scale (field-state-national) information needs. Evaluate indicators and survey parameters to determine sufficiency in supporting cross-cutting program data requirements. Explore more efficient means for accomplishing basic monitoring requirements over broader land bases, such as those currently being used to monitor large geographic areas like the Columbia River Basin and the Northwest Forest Plan area. Review existing programs within other agencies, such as the US Forest Service Natural Resources Information System project, to determine potential utility for use within the Bureau. Based on this assessment, develop data collection and management options to meet multiple scale/office needs.

7. Implementation of the ESA is variable across offices. Interagency policies and agreements developed to facilitate both species conservation and recovery work, and section 7 consultation for plans and projects, are being implemented with varying degrees of success. Lack of timely interpretation and dissemination of information summarized from relevant litigation and court decisions has affected programs in some areas.

   Recommendation: Evaluate findings of the Consultation Assistance Team (CAT) and other ongoing efforts that review ESA implementation. Support state offices

in the development and implementation of their plan consultation strategies. Coordinate with the Solicitor's Office and other agencies in the development of direction and policies consistent with court decision; particularly where efficiencies in section 7 consultation are possible.

CHAPTER 1

1.0 Background

The Washington Office (WO230) formally evaluated the Fisheries, Wildlife, Botany, and Special Status Species (FWBSSS) programs in FY2002. Increasing demands by the public for these resources, a new mandate from Congress to build a native plant materials program, increases in the number of species being petitioned for listing under the Endangered Species Act (ESA), and an overall increase in concerns by the public over management of fish and wildlife habitat and native plant communities have generated internal and external interest in management of FWBSSS programs. The requirements of the Government Performance and Results Act (GPRA) to increase agency accountability for maintaining cost-effective goods and services also served as the catalyst to conduct the review.

Over the last 15 years, significant changes have occurred in both internal and external factors that affect the implementation and management of BLM's FWBSSS programs. External factors, such as the increasing numbers of animals and plants listed as threatened or endangered under the ESA, have added significant complexity to the implementation of the BLM's land use mission. The WO230's Report to Congress in 2001 identified a four-fold increase in listed species from 1994 through 2000 (Report to Congress, 2001). The BLM's FWBSSS programs, while providing substantive and continued support to the Bureau's Congressionally authorized land use activities, must also respond to and address new National land use priorities, such as the President's National Energy Plan, the National Fire Plan, and Healthy Forest Initiative.

Internally, factors affecting the program include increased emphasis on updating Land Use Planning (LUP), introduction of performance-based budget systems, and increased litigation and appeals on BLM decisions. Resource Management Plans (RMPs) are being updated to address these emerging issues and concerns. The FWBSSS programs are integral in assuring ESA requirements are being met on 161 LUPs, many of which have been identified as "time sensitive" and important for addressing national energy concerns. The GPRA has guided BLM's implementation of the Management Information System (MIS) to support a performance-based management approach. Associated policy and guidance have significantly changed the basic business operations and the way in which FWBSSS programs record accomplishment, track budgetary outputs, interact with benefiting subactivities, and define funding needs. Increased litigation on BLM decisions has generated new work on process and data/science needs, and has profoundly shaped new policy development within the agency.

1.1 Current Status of FWBSSS Programs

The BLM administers 264 million acres of public land, primarily located in 12 western states. These lands are managed under the Federal Land Policy and Management Act (FLPMA), with an agency mission *"To sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations."*

Approximately 5,000 terrestrial, aquatic and plant species occur on lands managed by the BLM, including over 306 listed for federal protection under the ESA. Significant program gains in funding and staffing were made in the late 1980's, with the development of *Fish and Wildlife 2000*, an initiative that provided a long-term strategy for managing and conserving fish, wildlife, and rare plant habitat on BLM lands. Program emphasis has changed over time, with current emphasis on species conservation and recovery. This changing emphasis has been reflective of both changes in staffing and budgets.

1.2 Staffing

Within the FWBSSS programs, changes in staffing numbers have been mixed. An overview of the distribution of BLM employees in 0408 (Ecologists), 0430 (Botanists), 0482 (Fisheries Biologists), and 0486 (Wildlife Biologists) jobs series, by state, is provided in Table 1. Despite increases in overall budgets and an increase in workloads, staffing in these series has declined overall. Over the past 10 years, fishery biologist and botanist positions increased modestly while the number of wildlife biologists decreased nearly 20%. The net effect is an overall 10% reduction in permanent FWBSSS program staff. Some of these skills, however, have been recruited in the National Resource Specialist series (401), where incumbents are charged with implementing a variety of programs. Staff increases in botanical and fisheries staff have been largely concentrated in Oregon. A number of state and field offices throughout the Bureau do not have staff with fisheries or botanical expertise. The fact that an overall decline, and/or in-place aging of FWBSSS staff has occurred while FWBSSS resource workloads have increased in magnitude and complexity, is the basis for a number of staff and skill-related management issues discussed in this report.

1.3 Budget

Between 1987- 2001, the combined budget for fish, wildlife, and special status species programs grew from approximately $17 million to $59.2 million (248% increase). This increase occurred despite a shift of $15.0 million from the 1100 subactivities to establish a new riparian subactivity ($7 million) and to form the USGS-BRD National Biological Survey ($8 million). Budget trends over the past 7 years for FWBSSS programs are presented in Appendix A.

Table 1. Number of BLM employees as of FY2002 by state and federal government job series (See also Appendix I for data on all 04XX series BLM employees.)

US OPM Federal Government Employment Job Series	AK	AZ	CA	CO	ID	MT	NM	NV	OR	UT	WY	Total
0408 (Ecologist)	0	2	3	4	7	1	0	1	12	6	1	37
0430 (Botanist)	1	1	11	1	8	0	0	1	39	3	2	75
0482 (Fisheries Biologist)	7	1	1	2	9	2	0	4	37	1	4	72
0486 (Wildlife Biologist)	9	15	22	18	17	14	18	15	57	17	24	230
Total	17	19	37	25	41	17	18	21	145	27	31	414
Percent of Total	4%	5%	9%	6%	10%	4%	4%	5%	35%	7%	7%	

CHAPTER 2

2.0 Purpose, Objectives, and Methodology

The purpose of this evaluation is to determine if national policies and program direction are effectively being implemented by state and field offices to meet FWBSSS program objectives and management priorities on BLM-administered lands.

We focused the FWBSSS program evaluation on six integrated objectives designed to provide a detailed and comprehensive view of FWBSSS program implementation. Basically, the FWBSSS program evaluation objectives sought to identify whether there was sufficient understanding of program needs; if resources (people and money) were available to meet those needs; if there were impediments to program implementation; and lastly, to define successes that could be used and shared as program implementation models. The specific objectives of the program evaluation were as follows:

1. Determine if there is a common level of understanding and expectation for the FWBSSS programs between Field, State and National offices and between decision makers and staff;

2. Determine if offices have sufficient resources and appropriate technical skills to implement program direction;

3. Identify and compare state and field work priority areas with budget priorities;

4. Identify discrepancies between funding allocations and work accomplishments;

5. Identify policy or program direction information gaps impeding program implementation; and

6. Identify models of successful program implementation and share characteristics with all offices.

2.1 Methodology

We used four independent data sources to objectively develop integrated findings and draft recommendations for the FWBSSS program evaluation:

1 Development and administration of an employee questionnaire to survey opinions and perspectives of managers and staff having direct responsibility in FWBSSS programs;

2. Field reviews with state and field office personnel, including managers, in selected states;

3. Development and administration of a questionnaire for non-governmental organizations (NGO's) and other BLM partners to solicit perspectives and opinions on how well FWBSSS programs are managed and to identify major barriers to effective management; and

4. Review and analysis of staffing, workload, budget and performance information obtainable through the Denver Service Center, the existing MIS, and other federal government databases.

2.2 BLM FWBSSS Program Questionnaire

The WO230 staff worked jointly with the National Training Center (NTC) to develop and administer a FWBSSS questionnaire in FY2001 that focused on 10 major program areas, incorporating the six main objectives: General Administration; Inventory, Data, Information Management and Assessment; Planning; Project Implementation; Interaction with and Support to Other BLM Programs; Monitoring; Compliance; Litigation and Appeals; Partnership Development and Maintenance; and Other Program Management. The questionnaire did not specifically address the expanded role of the botany program in native plant materials development; focus was placed on the traditional special status plant portion of the program. The questionnaire was issued through a Lotus Notes database application to approximately 860 permanent BLM employees, representing federal work series 340 (Management); 401 (Natural Resource Specialist); 408 (Ecology); 430 (Botany); 482 (Fisheries); and 486 (Wildlife). The anonymity of respondents was maintained through both the questionnaire and analysis process. The NTC staff performed an initial compiling of questionnaire data and WO230 staff completed more detailed comparisons and analyses, thereafter.

2.3 Data Analysis

The questionnaire consisted of three segments requesting respondents to: (1) gauge their agreement or disagreement with specific questions ("don't know" and "not applicable" selections are included); (2) estimate the amount of time spent engaged in program work (including support to other programs); and (3) provide comments on each major program area (see Appendix B for the FWBSSS questionnaire). Being a national program review, our analytical focus was on overall trends in questionnaire responses by major program categories. Where applicable, however, we included in our analytical summary a comparison of responses among states. In selected cases, identifying inter-state variability in responses helped guide our formulation of recommendations. Data analysis consisted of basic compilation and qualitative interpretation (see Appendix C for comprehensive summary of questionnaire results). Comments on the questionnaire were organized and summarized by major theme (see Appendix D for comment summary).

2.4 State Visits and On-Site Interviews

The WO230 staff identified selected states to conduct on-site evaluations , with focus placed on states having a diversity of FWBSSS-related issues. This process was guided

by existing WO230 staff knowledge of state-specific FWBSSS program issues, coupled with a preliminary review and analysis of the questionnaire results.

The WO230 staff selected five states for further FWBSSS program evaluation (in order of review): Idaho (November 25-30, 2001); Nevada (March 11-15, 2002); New Mexico (April 8-12, 2002); Utah (April 22-26, 2002); and Alaska (May 13-17, 2002). Evaluations in Idaho, New Mexico, and Alaska were conducted concordantly with Forestry staff; Forestry program evaluation results are reported separately. Additionally, FWBSSS staff accompanied Forestry personnel on the Colorado Forestry program evaluation (June 3-7, 2002).

Natural resources personnel and managers from state and field offices were interviewed using a standard set of questions developed to evaluate each of the six objectives. The WO230 based specific interview questions on the following set of standard key questions, as follows:

Objective 1. Does your LUP describe in adequate detail the objectives for FWBSSS program management? If not, how are program objectives identified, established, and measured? If so, how do they describe program objectives? Does either approach create a consistent expectation between staff and managers?

Objective 2. Do you have sufficient staff and fiscal resources to implement and meet the objectives for the FWBSSS programs? Is staff technically trained to implement programs under their direction? How are programs funded? Does staff provide more support work to other resources or to their respective programs? In both dollar and percentage figures, what portion of the FWBSSS budget is used to pay for work that either primarily or exclusively benefits other activities? What are those other activities?

Objective 3. Does the AWP provide sufficient direction to meet program objectives? How are state/field management objectives set for the year? Do these priorities match expectations established in your MFP or RMP?

Objective 4. Are national policies on benefiting function sufficient to ensure funds are appropriately programmed to meet program management objectives? Does the MIS help facilitate tracking and reporting of accomplishments? Do workload measures and performance elements accurately describe work accomplished? If not, what changes are needed?

Objective 5. Are there existing national policies that need to be re-evaluated or rescinded? What additional national policies are needed to help facilitate program implementation both at the state office and field office levels?

Objective 6. Do you feel your programs are successful and are being fully implemented? If so, describe the elements that contribute to successful implementation. If not, what are the impediments or barriers?

A selected WO230 staff member acted as the FWBSSS program evaluation team leader. At least one state office program lead was contacted several weeks prior to the planned visit to develop logistics and schedule field office visits. The FWBSSS program objectives, key questions (as above), and specific offices to be visited were issued to each state in an informational bulletin, at least two weeks prior to the WO230 visit. The timing of the release of the information bulletin was to provide each office sufficient lead time to coordinate attendance at the WO230 program evaluation interview, and to preview the specific program evaluation questions.

State office program leaders typically accompanied the national evaluation team for the week-long program evaluation. Personnel from the Washington Office Management Information Systems Group (WO870), or their state-level designee, accompanied WO230 staff on program evaluations in Idaho, Nevada, New Mexico, and Utah. Individual reports were generated for each of the states based on information collected through field visits (Appendix E) to provide the state's leadership with findings made by the team.

Each weeklong visit began with an introductory meeting with the State Director or their representative. The WO230 staff presented the program evaluation goals and objectives, and the State Director (or assigned designee) was encouraged to offer insight and perspective on the focus of the program evaluation. This introductory meeting also provided each State Director the opportunity to request that the team evaluate specific aspects of the FWBSSS programs having local or regional significance. Typically, we visited between three and five field offices in each state.

The WO230 FWBSSS evaluation team provided the State Director or their representative a "close out" with preliminary findings at the end of the week. Each state was provided up to 45 days to review and comment on the draft findings. A formal notice was sent to the Director of each state visited during the evaluation in August 2002, requesting comments on the preliminary findings be forwarded to WO230. Formal comments on the preliminary draft reports were received from Idaho and New Mexico, and were considered in the compilation of this evaluation (see Appendix F).

Field visit data from the various states was then summarized to determine if consistent findings existed between the states, and whether or not these findings were consistent with the overall trends established in the questionnaire data. Findings that were deemed consistent and significant are expressed as "Key Findings" in the attached Executive Summary. Additional information and explanation are provided under the "Areas of Positive Performance" and "Opportunities for Improvement" sections of this evaluation.

2.5 Non-Governmental and Public and Private Partner Questionnaire

The WO230 staff developed and issued a questionnaire to 44 public and private partners to elicit views external to the BLM on how effectively FWBSSS programs are managed and meeting partner expectations. Where program management was judged less than satisfactorily, partners were asked to identify key barriers and impediments; questionnaire results are summarized and presented in Appendix G.

2.6 BLM Databases – Staffing and MIS Analyses

Analysis of MIS and staffing data was initially conducted prior to development and issuance of the employee questionnaire (see Appendix H), and was more fully investigated for each state that was selected for a follow-up visit. Other federally maintained databases including the Office of Personnel Management's web page containing government-wide data on 0400 series demographic statistics (http://www.fedscope.opm.gov/) were also mined for relevant information.

2.7 Joint WO230 and State/Field Office FWBSSS Meeting

The WO230 hosted a meeting in Albuquerque, New Mexico, July 10-12, 2002, with BLM state and field office personnel to present preliminary findings from the evaluation and solicit feedback. This provided an opportunity for those states not visited to provide feedback on the FWBSSS findings and develop additional input and clarification for this evaluation.

2.8 General FWBSSS Questionnaire Analysis and Findings.

Results associated with the basic conduct of the FWBSSS questionnaire and site visits are provided in Appendix I. Also contained therein is basic summary data of the number of offices visited in each state and personnel interviewed.

CHAPTER 3

3.0 Program Information

Program being evaluated: **Fish Management Program, Wildlife Management Program, and Special Status Species Program, including native plant resources.**

Office being evaluated: **National program review based upon a representative sample of selected state and field offices.**

Budget program names:	**Subactivities**
Wildlife	**1110**
Fisheries	**1120**
Threatened & Endangered Species	**1150**
Botany	**2822 (only within the native plant material program)**

Bureau of Land Management Goal:

02.0 Restore and Maintain the Health of the Land

Mission Goals: (Strategic Goal)

02.01 Understand and Plan for the Condition and Use of Public Lands

02.02 Restore At-risk Resources and Maintain Functioning Systems

Long-Term Goals: (Annual Performance Goals)

02.02.04.01 Number of populations of sensitive species with stable or increasing Trends.

02.02.04.02 Number of Endangered Species Act listed or proposed populations with stable or increasing trends.

Work Processes:

Inventory and Assessment
Planning and Analysis
Implementation
Monitoring and Evaluation
Managing Work

Program Elements:

BU Wetland/Lakes Inventory
BV Stream/Riparian Inventory
CB Wildlife and Plant Inventories

DK Threatened and Endangered Species Recovery Plans
JA Shrub and Grassland Vegetation Treatments Applied
JB Shrub, Grassland, PJ, Forest Projects Constructed
JF Lake/Wetland Treatments
JG Stream/Riparian Treatments
JH Lake/Wetland and Stream/Riparian Projects Constructed
JI Lake/Wetland and Stream/Riparian Projects Maintained
JP Special Status Species Recovery and Conservation Actions
MN Lake and Wetlands Monitoring
MO Streams/Riparian Monitoring
MR Species Population Monitored
MQ Terrestrial Habitat Monitored

CHAPTER 4

4.0 Areas of Positive Performance

Our sixth objective in the FWBSSS program evaluation was to identify models of successful program implementation and to share characteristics with all offices, which we identified as "Areas of Positive Performance." Because many of the Areas of Positive Performance we observed could be used to help formulate recommendations for our subsequent findings, we first present findings on positive performance under the following categories: (1) policy and program implementation; (2) program accomplishments and accountability; (3) coordination and communication; and (4) staff resources and skills. These four categories generally mirror the areas we identified and established with our program evaluation objectives. For each of the four categories, we identified strategies for success, or areas common to successful FWBSSS program implementation.

4.1 Program Policy and Implementation

The results from the survey indicate that the majority of respondents' offices have FWBSSS programs, with almost all of the offices having a wildlife program and greater than four-fifths having a special status species program. In general, the ESA requirements for species conservation and section 7 consultation have increased the priority of this program in most offices.

4.1.1 Strategies for Success – Program and Policy Implementation

States that are the most successful in implementing FWBSSS programs have:

1. Revised or up-to-date LUPs (*e.g.*, Roswell, NM, field office), that set expectations and support management decisions regarding FWBSSS program resources. Several field offices in Nevada are consolidating their older land use plans into a single, new comprehensive plan addressing special status species and wildlife resources. The revised plans incorporate specific management expectations and time frames for implementation.

2. State-level strategic plans that link to the national strategic plan (*e.g.*, Idaho State Office COMPASS document), which provide staff and managers a clearer understanding of how statewide priorities fit into the broader national priorities. The plans also help maintain continuity in program implementation, as well as knowledge and understanding of the states programs on a broader level.

3. Integrated direction and guidance at the state level to help field offices work together toward common goals and objectives. Staffs are actively engaged in setting priorities for budget and project planning (*e.g.*, Alaska).

4.2 Program Accomplishments and Accountability

4.2.1 Budget Allocations

In general, field office managers and some key staff were familiar with the AWP, and most staff believed that state and field office priorities were consistent with national priorities. The findings indicated that the budget direction is sufficient to establish general FWBSSS program priorities.

4.2.2 Resource Protection

The Bureau's FWBSSS program resource specialists implement hundreds of individual activities, ranging from projects on inventory of aquatic, terrestrial, and botanical resources, to on-the-ground restoration treatments on BLM-managed lands. All actions are designed to benefit resource conditions, and many focus on high priority species conservation work. The FWBSSS specialists are able to complete such proactive work in spite of a significant amount of time spent in support of other programs (discussed below). Many resource personnel indicated that proactive FWBSSS work was most enjoyable, and keeps them motivated.

4.2.3 Strategies for Success – Program Accomplishments and Accountability

Offices exhibiting successful approaches to Program Accomplishments and Accountability had:

1. Predictable and planned workloads and relatively few controversial projects.

2. A dedicated staff member to oversee the process and reporting of accomplishments to provide standardization and consistency in the use of MIS.

3. Concerted efforts at the state office level to help reduce cost coding inaccuracies, including: (a) the use of committees to rank and select projects for dispensing program funds to ensure project work is consistent with state priorities; and (b) establishing field or state level definitions of PE's, which improved the accuracy of accomplishment reporting, resulting in more consistence unit costing information (*e.g.*, Alaska).

4. Adherence to the benefiting sub-activity principle so that FWBSSS support work was adequately funded by the program initiating the work.

4.3 Coordination and Communication

4.3.1 Internal

Although the evaluation indicated that internal coordination efforts varied widely between states, several fundamental conclusions were reached through site visits. Where employees understand the goals and objectives of other programs, trust and support appears to follow. This increased trust and support leads to increased coordination and cooperation between staffs. This is necessary to efficiently plan and implement management actions, and in-turn BLM's mission. In states demonstrating good communication and coordination, meetings are held with staff from several programs to understand various priorities and issues, and to identify opportunities for collaboration.

Examples of effective internal communication and coordination are numerous. For example, to explain the integration of national, state, and local priorities, the Idaho State Office has developed the COMPASS, a document to guide the BLM's efforts in FY2002. The COMPASS tiers to both National and Department Strategies and provides a summary of those critical priorities upon which Idaho BLM will be focusing resources. In several states, implementation of Standards for Rangeland Health through the interdisciplinary team process has been effective in addressing concerns of FWBSSS programs.

4.3.2 Strategies for Success – Coordination and Communication - Internal

In states with a history of good internal communication and coordination, offices have:

1. Set aside time to listen to other staff to understand their priorities and issues as well as to explain their own FWBSSS programs and issues.

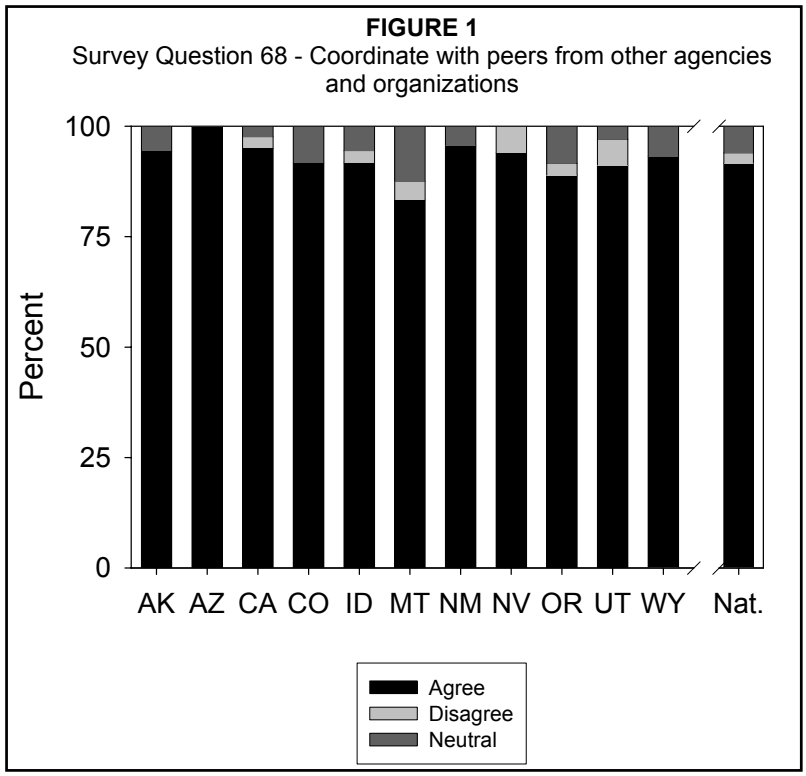
2. Have regular communication with the state office program coordinators who provide information, clarification and integrated guidance on direction and priorities from the Washington office and the state office.

3. Have program leaders duty stationed at the state office in all four program areas so they may participate in a statewide network and transmit critical information to counterparts in field offices.

4.3.3 External - Interagency

Most respondents indicated that they coordinated with peers from other agencies and organizations. Interagency coordination occurs frequently with federal partners such as the US Fish and Wildlife Service (FWS). In most states, the BLM is engaged with the FWS in informal and formal ESA section 7 consultation, as well as working cooperatively to develop species conservation strategies and formal recovery plans. The National Memorandum of Agreement (MOA) for Streamlining Procedures has been

useful for completing consultation on land use plans in some areas. Several states have up-to-date consultations on land use plans.



Nationally, 92% of staff responded that they coordinate with their peers from other agencies and organizations (Figure 1). Many BLM offices coordinate with state fish and game agencies to work on habitat restoration projects, rare plant technical committees, and other fish and wildlife conservation projects. The Idaho State Office is effectively using and making contributions to STREAMNET, an interagency aquatic database, to catalogue, store and disseminate information on aquatic habitats statewide. In Utah, BLM has participated in the Interagency Sensitive Plant Inventory and Monitoring Effort.

Another example of interagency cooperation is the Clark County (NV) Multiple Species Habitat Conservation Plan. This was formulated by BLM (Las Vegas field office), FWS, NPS, USDA Forest Service, USFS, EPA, Clark County, and other stakeholders to ensure the persistence, survival and recovery of many species affected by land tenure adjustments.

4.3.4 Strategies for Success – Coordination and Communication - External

Offices in states with a history of good external communication and coordination:

1. Communicate regularly with FWS and NMFS, not just when engaged in formal consultation.

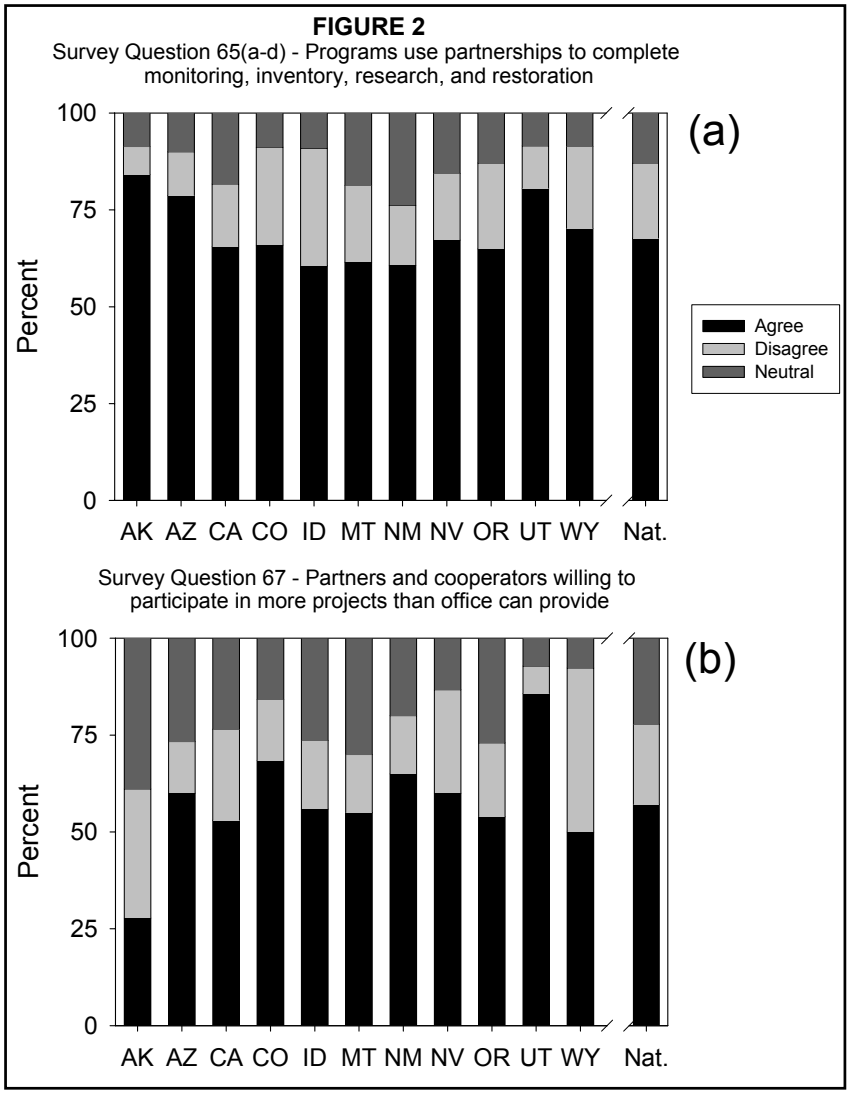
2. Meet regularly, as a group, with other federal and state agencies to identify pressing and upcoming issues of interest to all.

3. Have program leaders at the state office in all four of the program areas who are able to develop and participate in statewide resources networks.

4.3.5 Partnerships

Partnerships among BLM FWBSSS program personnel and various federal and non-federal partners are a key component of state and field office programs. This finding is supported by the FWBSSS questionnaire results where, nationally, 68% of staff responded that their programs use partnerships to complete various program work, including monitoring, inventory, research, and restoration (Figure 2a). There is also little variation among states in the development and use of partnerships; staff responses to the use of partnerships (to complete aforementioned work) ranged only from a low of 61% in Idaho to a high of 84% in Alaska, with most values by state falling between 60% and 75%. (Further discussion of the role of partnerships in BLM resources work is found below).

FIGURE 2



The following are a sample of examples of the benefit of partnerships to FWBSSS resource programs identified during on-site interviews with program staff:

> *New Mexico*: A strong working relationship with New Mexico State University has facilitated the use of interns to assist with filling program staffing needs in the Las Cruces Field Office. Good working relationships, especially with the oil and gas industry and livestock grazing permittees, have facilitated an award-winning Lesser Prairie Chicken habitat restoration project in Roswell. In addition, the National BLM liaison to Quail Unlimited is located in the Carlsbad FO.
>
> *Nevada*: The Las Vegas FO is involved in several multi-partner endeavors including, "Outside Las Vegas", the Southern Nevada Ecosystem Restoration Team, and the Clark County Multiple Species Conservation Plan. The Town of Beatty, through a conservation agreement being developed by two Nevada FO's,

will manage habitat for the Amargosa toad. Nevada FO's are working with a variety of groups/partners including the Rocky Mountain Elk Foundation, the Wild Sheep Foundation, the Sierra Club, the Nature Conservancy, and the Nevada Natural Heritage Program to accomplish conservation related projects and programs.

Utah: Exemplary partnerships have been developed in many FO's in Utah to address integrated resource needs. Partnerships with research institutions are providing data needed to make and support management decisions. Most of the pro-active program work in Utah is being accomplished through partnerships. Several Field Offices have used the National Fish and Wildlife Foundation (NFWF) effectively to improve their partnerships program.

The Bureau's Challenge Cost Share (CCS) program was identified by FWBSSS resources staff as a primary vehicle for partnership development. The CCS program, and partnership development in general, were the two features most often linked to proactive work for conservation and restoration of FWBSSS resources.

Partnerships are critical for supplementing staff capabilities and accomplishing significant workloads, especially for specialized projects such as inventory. Several states have been successful at using their CCS program to meet needs that would historically have been carried out by permanent workforce, such as inventory of wildlife habitat or implementation of habitat improvement projects. Idaho, for example, has used the CCS program to publish a list of Technical Bulletins on a wide variety of subjects, which supports the FWBSSS resource mission Bureau-wide.

Most states maintain good working relationships with state fish and wildlife agencies, State Heritage Programs, and other federal agencies, resulting in more efficient use of staff resources. For example, Utah and Idaho are collaborating with Region 1 of the Forest Service on completion of the Northern Rockies Lynx Planning Amendment, saving thousands of dollars and hundreds of work-months by working as a team.

4.3.6 Strategies for Success – Coordination and Communication - Partnerships

Success and efficiency in using partnerships and the CCS program are identified by the following attributes:

1. Strong communication between state office leads and field office personnel facilitates the development of projects that are closely linked to state-level resource management objectives. State level committees review and rank projects, which leads to selection and implementation of the highest priority work.

2. Proactive field offices willing to complete planning for projects, even without implementation funding in place, allows them to capture funding opportunities more effectively when they become available.

3. Field offices committed to long-term planning (sufficiently to develop the project plans and complete NEPA analyses) are successful with the CCS program and other partnership-oriented proactive resource conservation programs (*e.g.*, NFWF).

4. Have sufficient personnel to develop and maintain partnerships and implement projects.

4.4 Staff Resources and Skills

In all cases we found FWBSSS field and state office personnel to be highly committed to their jobs and natural resources. We identified a number of cases where BLM FWBSSS resource personnel were willing to donate their personal time in order to help advance natural resources conservation goals on public lands. The Bureau's resources staffs have worked with volunteer organizations to complete habitat improvements, including Boy Scout and Girl Scout organizations to complete conservation projects, with schools and camps leading nature hikes, and have served as volunteer instructors for Project WILD and Project Learning Tree. Staffs from FWBSSS programs have hosted national conservation events, including National Fishing Day, National Migratory Bird Day, National Wildlife Week, Arbor Day, and National Wildflower Week. Dedication and commitment are hallmarks of the FWBSSS staffs we encountered throughout this evaluation.

4.4.1 Strategies for Success - Staff Resources and Skills

Overall, States that been more successful at maintaining and adequate skills and staff resources share some common characteristics, including:

1. Filling vacant positions in a timely fashion and having a state-wide position management strategy that includes FWBSSS skill needs.

2. Adequate staffing and funds to fully fund support work FWBSSS staff complete for other programs, while maintaining a proactive FWBSSS program focus.

3. Using student temporary employment programs that often lead to hiring replacement biologists such as the Student Temporary Employment Program (STEP), Student Career Employment Program (SCEP), and the Environmental Careers Organization (ECO).

CHAPTER 5

5.0 Opportunities for Improvement

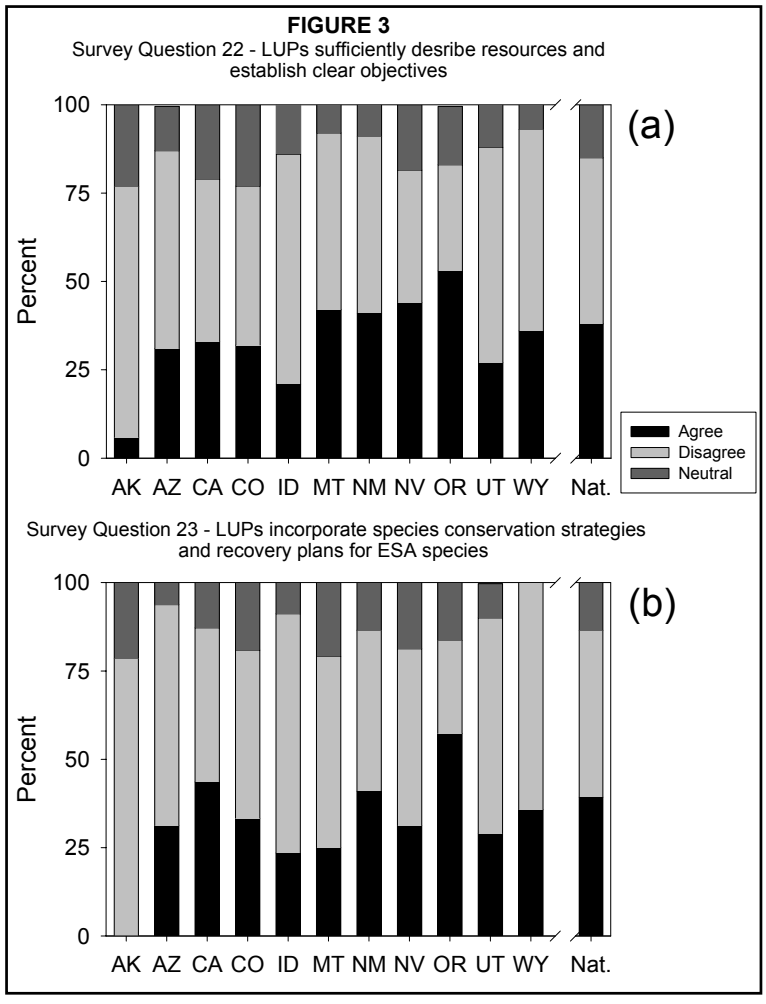
The following "Opportunities for Improvement" section incorporates both specific integrated findings and recommendations for subsequent action. Herein, we present findings and draft recommendations by Objective and associated key questions; both the objective and key questions are paraphrased here for brevity.

5.1 Objective 1 - PROGRAM DEFINITION – Are LUPs adequate in detail to establish FWBSSS management objectives?

The land use planning process and subsequent LUPs set the stage for establishing overall FWBSSS program goals and objectives, and should be supported through subsequent step-down implementation and project-level plans.

5.1.1 Findings – Land Use Planning

Staff interviews revealed that LUPs vary in age and utility for establishing objectives for FWBSSS programs. Older plans are often too general to effectively establish clear program direction. Subsequent plan amendments, project decision documents, and species conservation strategies are used to supplement outdated plans in some locations.



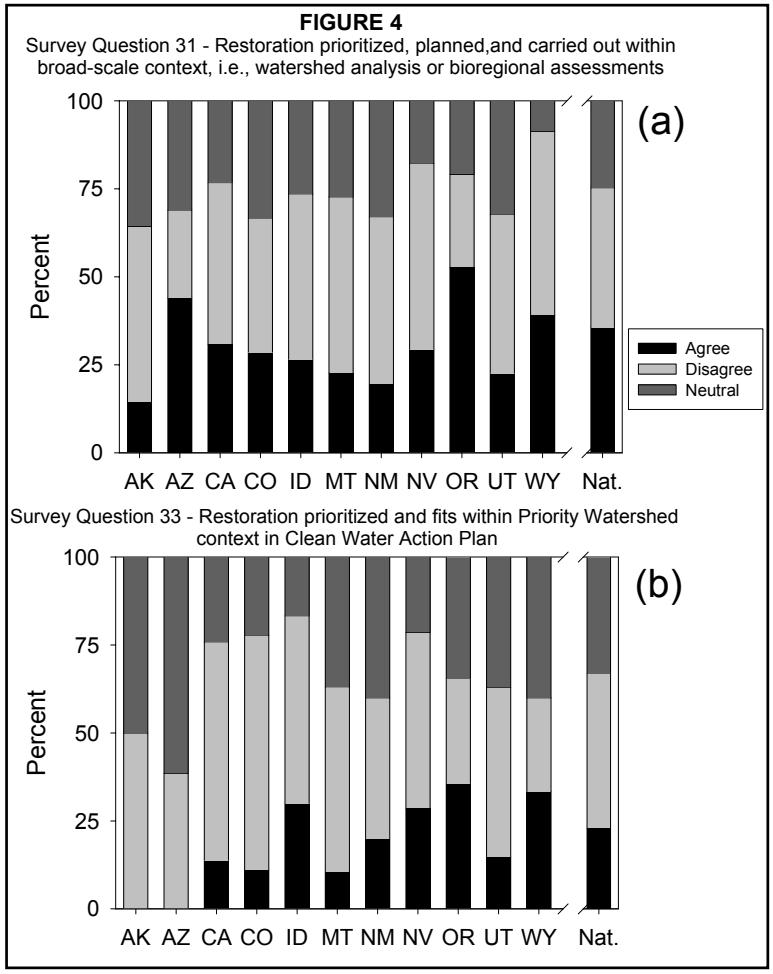
The FWBSSS questionnaire data support this finding in that, nationally, 38% of staff agreed that their LUPs sufficiently described FWBSSS resources and establishes clear objectives for the management of program resources, whereas 47% of staff disagreed with this statement (Figure 3a).

Lack of section 7 consultation on existing LUPs is a concern and represents a high litigation risk. Nationally, 39% of staff agreed

that their LUPs incorporated species conservation strategies and recovery objectives/plans for ESA listed, candidate and special status species, whereas 47% of staff disagreed with this statement (Figure 3b). These data support staff's finding that existing plans in general have been found to be inadequate for meeting section 7(a) (1) species conservation requirements of the ESA. In many cases, section 7 consultation (section 7(a) (2)) is being employed as a way to address this deficiency. Several new plans are in preparation and are expected to include more specific language concerning species conservation strategies and recognize ESA listed species recovery plan objectives.

The FWBSSS questionnaire data also provide insight into the approach to implementing LUP objectives. Nationally, 36% of staff responded that restoration actions are prioritized, planned, and carried out within a broad-scale context, such as watershed analysis or bioregional assessments, whereas 40% of staff disagreed with this statement (Figure 4a). Nationally, 23% of staff responded that restoration actions are prioritized and fit within the Priority Watershed context established in the Clean Water Action Plan, whereas 44% of staff disagreed with this statement (Figure 4b).

FIGURE 4



The issue of adequacy of FWBSSS resource conservation measures in LUPs is particularly critical for plans designated as time sensitive (*e.g.*, LUPs that have a high priority energy development component). The accelerated time frame for completing time sensitive plans may not provide sufficient time to address FWBSSS species conservation issues. Through our on-site interviews we found that input of FWBSSS program staff into the planning effort was highly varied; in some cases, BLM FWBSSS program staffs were engaged in planning efforts, whereas in other cases, staffs were not fully aware of the FWBSSS resource issues being considered in planning efforts. Section 7 consultation on time sensitive plans may be delayed due to concerns raised by the regulatory agencies over the

adequacy of proposed species conservation measures. The WO230 staff's review of selected preplans for non-time sensitive plans also suggest, in general, that basic FWBSSS resource information or data are insufficient to fully describe issues, concerns, and opportunities needed to develop a full range of management alternatives.

5.1.2 Recommendations - Land Use Planning

1. Develop guidelines for incorporating specific FWBSSS management objectives into LUPs, including federal recovery plan goals and tasks for listed species and/or conservation actions for proposed, candidate, and sensitive species. Ensure that FO's incorporate specific recovery and conservation objectives into LUPs. Incorporate relevant special status species information from project and program Biological Assessments and Biological Opinions into the LUPs.

2. The WO230 and WO210 (and others) should collaboratively develop additional guidance to incorporate specific FWBSSS information into preplans and draft plans. The guidance should include a framework for regional/landscape level assessments to set context for the planning area, an assessment of current land health, and conservation and restoration needs to meet species and habitat objectives. Current changes in resource condition need to be incorporated into LUPs (with more emphasis on incorporating monitoring data). Reference Appendix C1 in 1610 Planning Handbook for existing direction. In addition, a process of accountability is needed within state offices (or a review of existing mechanisms) to insure that pre-plans and plans submitted for review have met minimum information needs and standards.

3. Field offices should implement the state-wide strategies developed with the Threatened and Endangered Species Consultation Assistance Team (CAT) and ensure early coordination with the regulatory agencies, per the National MOA on streamlining consultation for LUPs. New LUP starts that conform to ESA listed species recovery needs, and contain conservation strategies for Bureau sensitive species, will have better endorsement from the regulatory agencies should a sensitive species become listed (thereby facilitating BLM's land use goals). The WO should work with the field to evaluate innovative ways for conducting plan-level consultations so that reinitiation of consultation on entire plans is not required when a new species is listed.

5.2 Objective 2 – RESOURCES AND SKILLS – Are staff and fiscal resources sufficient to implement and meet objectives for the FWBSSS programs?

Successful program development and subsequent implementation directly correlate to the amount of funding and number of staff (and skills they offer) available to the program.

5.2.1 Findings - Staffing

While we found FWBSSS field and state office personnel to be highly committed to their jobs and natural resources, we also found they were facing increasing management and resource complexities (*e.g.*, energy and minerals development, ESA consultation demands, expanded botany program workloads, *etc*.) resulting in stress and potential burnout. Overall, we found staffing and funding to be insufficient to establish and implement proactive FWBSSS programs. Current low staffing levels contribute to the reactive nature of the existing FWBSSS programs and are insufficient in dealing even with reactive workloads in many locations.

Notwithstanding increases in 1100 budgets over the past decade, and emphasized use of benefiting function principles to fund work, there has been a 10% net decrease in permanent FWBSSS program staff over the past decade. The largest decrease has been in the wildlife series, while the botany and fisheries series have seen minor increases (where there are far fewer specialists overall in BLM). These increases have been largely concentrated in Oregon, which tends to mask the overall need for these skills elsewhere in the Bureau (see Table 1 and Appendix I). Coupled with this reduction in staff base, significant numbers of BLM's wildlife and fisheries professionals are at or approaching retirement age. Assuming a minimum 25 year federal career, about 32% of the existing wildlife professionals are eligible to retire, as are 18% of the existing fisheries biologists.

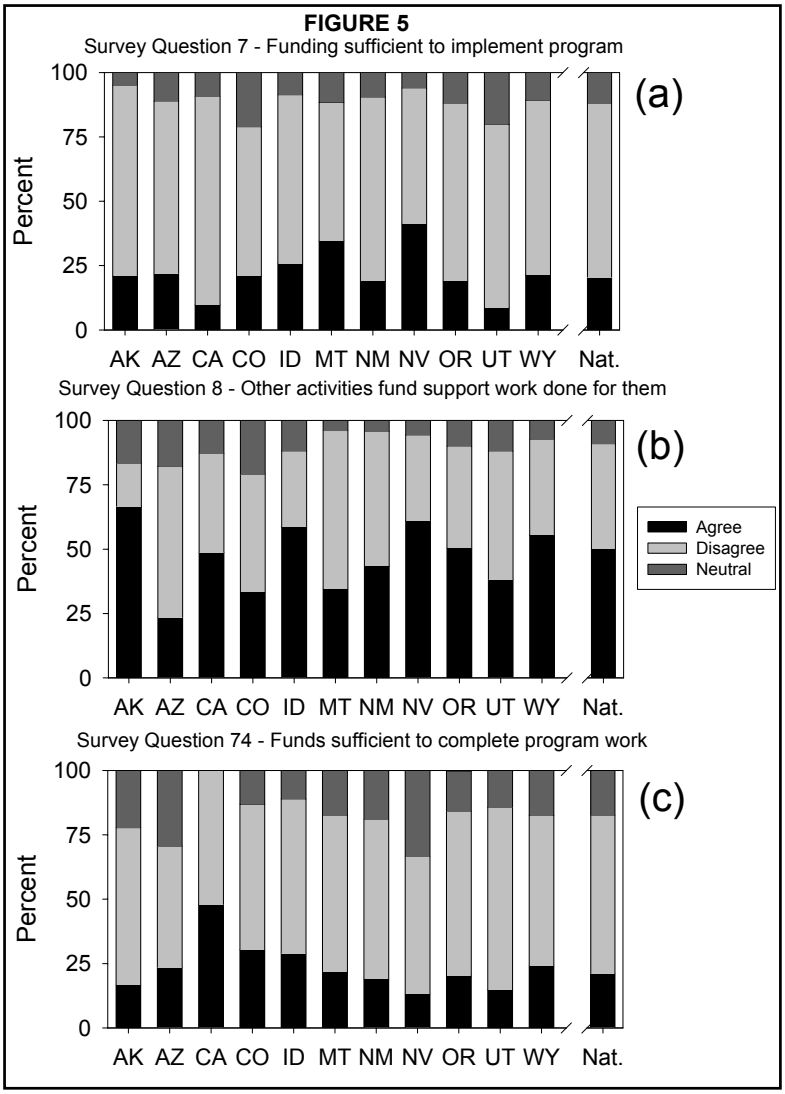
While we identified a high proportion (68%) of staff indicating their programs used partnerships to complete monitoring, inventory, research, and restoration work (Figure 2a), we also found a high proportion of staff (57%) agreeing that partners and cooperators are willing to participate in more projects than the office can provide (Figure 2b). Staff's "agree" responses to this statement ranged from a low of 28% in Alaska to a high of 86% in Utah (Figure 2b); nearly triple the range in "agree" responses compared with staff's response to the use of partnerships to complete program work in general.

Discussion - Insufficient staffing has affected FWBSSS programs in several ways: reduced opportunity to leverage work with partners; reduced ability to implement new Bureau and Department initiatives; inability to effectively provide oversight for contracted FWBSSS work; and a loss of institutional knowledge that increases the potential for appeals and litigation. These problems are anticipated to be further compounded as more of the workforce retires. Thus, the unit cost of work may increase and reduce funding available to fill positions. Reduced workforce levels may also diminish the potential for BLM to leverage FWBSSS program work and funding through partnerships. Managers and staffs expressed concern that BLM, as a whole, does not recognize that the cost of land management increases with a less experienced workforce.

5.2.2 Findings – Funding

Generally, staff interviewed thought funding was insufficient to implement FWBSSS programs, but generally recognized difficulties related to adherence to benefiting subactivity principles (more discussed below). This finding is strongly supported by the FWBSSS questionnaire data and information in MIS. Nationally, 21% of staff responded that funds are sufficient to implement programs, whereas 61% disagreed with this statement (Figure 5a). Notably, little variation exists among states in the proportion of respondents agreeing that funding is both sufficient to implement their programs (Figure 5a) and to complete program work (Figure 5c). Analysis of FY2001 MIS data for the 1100 subactivities indicates that upwards of 30% of the funds allocated to states is spent in program areas that do not directly support FWBSSS programs (using PEs identified in the draft Fund Code Handbook; see Appendix H).

FIGURE 5



The NGO partner survey results provide an external view that is consistent with the FWBSSS questionnaire findings and our on-site interviews with staff. Where partners identified FWBSSS programs as "Good", "Fair", or "Poor" over 25% of respondents identified insufficient budget and insufficient internal priority as barriers to BLM's management of FWBSSS resources (Appendix G).

Discussion - Between 1987 and 1991, the budget for fish, wildlife, and T&E programs grew from approximately $17 million for all three programs combined to $31.0 million, an increase of 82% (Appendix A). Between 1991 and 2001, growth slowed in the 1110

and 1120 subactivities, but continued at an accelerated rate in the 1150 subactivity. In FY2001, BLM's combined budget for all three programs was $59.2 million, which represents a 91% increase in the last 10 years and a 248% increase since1987. This explicit data on budget trends in FWBSSS programs contradicts FWBSSS staff's view that their programs are insufficiently funded to be successfully and fully implemented. We identified the inconsistent application of benefiting function principles, coupled with a high percentage of support work for other programs, as the cause for this disconnect (see further discussion below).

5.2.3 Recommendations – Staffing and Funding

1. We recommend WO200 review state workforce plans submitted as part of the workforce planning and restructuring process, to evaluate sufficiency of proposed staffing levels prior to the Bureau's workforce plan submission to the Department. This review should include discussion with state office program leads to ensure identified positions reflect current and projected needs, including a break-down of positions by field office, an estimate of how those positions are currently being funded, and an estimate of how they should be funded based on current and projected workloads.

2. We recommend that in coordination with WO800, an in-depth analysis using MIS be conducted to determine how and where the increases in 1100 funding over the past decade have been expended. This will help in determining why, in spite of over a 91% increase in funding, significant additional FWBSSS skills have not been recruited, and why there are insufficient funds to implement more proactive FWBSSS programs.

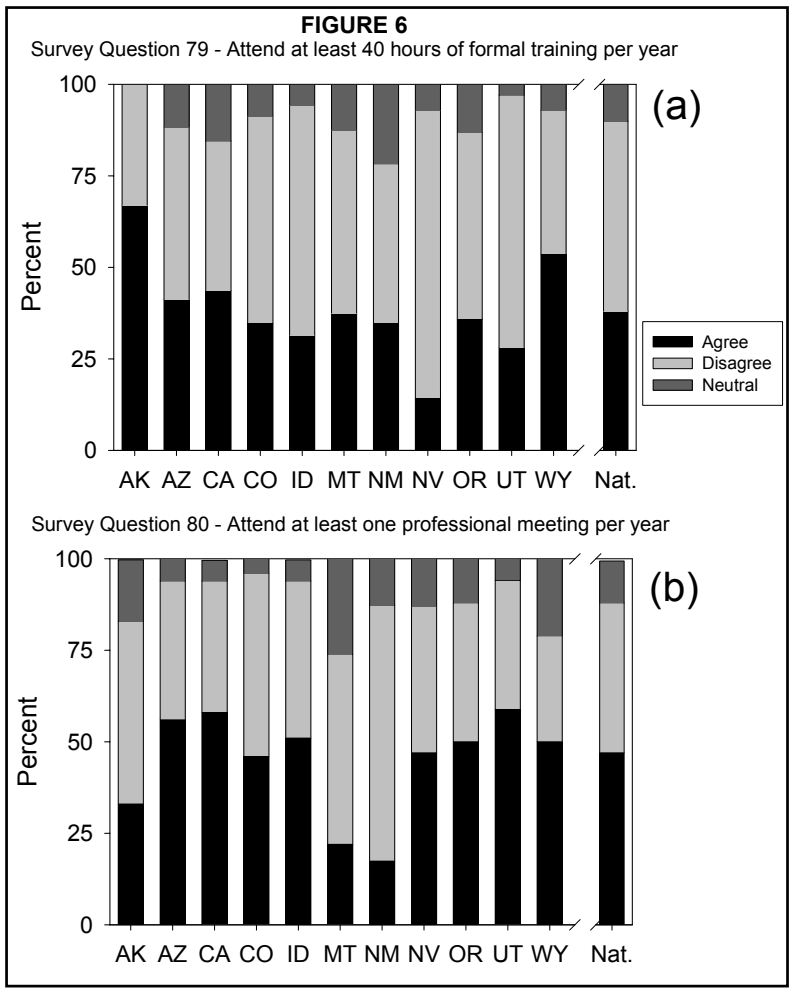
3. We recommend that WO230 be involved in the WO development of a comprehensive and coordinated recruitment strategy for scarce and declining skill areas for renewable resource programs, but especially for fish, wildlife, and botanical skills. Potential features to consider in the strategy include increased training and detail opportunities and special assignments to provide adequate professional development opportunities for BLM's FWBSSS highly committed, professional workforce. This strategy should also identify high priority locations for skills placement based on the complexity of issues, opportunities for resource management, and current availability of skills.

4. We recommend increased coordination at the national level with the NGOs to increase awareness of FWBSSS program advancements, priorities, and accomplishments, so that partners may continue to effectively support BLM resource programs.

5. We recommend the Bureau investigate means and methods to effectively capture, store, and manage knowledge and information at-risk to loss from the agency through staff retirements and interagency transfers.

5.2.4 Findings – Training and Staff Skills

We found that support for training and professional development is lagging in FWBSSS programs. The majority of biologists interviewed indicated that they did not feel they received adequate training to carryout their assignments. Heavy workloads resulted in supervisors limiting staffs' time away from the office to participate in training. In other instances, biologists did not believe they could afford to be away from work, or the actual funding available for training was limited.



The FWBSSS questionnaire responses strongly support this finding. Nationally, 38% of staff responded that they attend at least 40 hours of formal training per year, whereas 52% of staff disagreed with this statement (Figure 6a). Substantive variation was observed, as "agree" responses to formal training attendance (at least 40 hours), which ranged from a low of 14% in Nevada to a high of 67% in Alaska (Figure 6a). Staff also exhibited variable responses to the question regarding professional development opportunities. Nationally, 47% of staff responded that they attend at least one professional society meeting per year, whereas 41% of staff disagreed with this statement (Figure 6b). Substantive variation was observed, as "agree" responses to attendance at professional meetings (at least one) ranged from a low of 13% in New Mexico to a high of 59% in Utah (Figure 6b).

5.2.5 Recommendations – Training and Staff Skills

1. The current training curricula offered by the NTC needs to be evaluated for its current applicability to the changing workforce demographic. If reductions in technical skills continue, and the proposed Office of Personnel Management to combine the biological series is adopted, the new workforce will carry less

specialization. Hence, NTC training programs may need to become highly specialized so that BLM programs and processes remain legally sufficient.

2. Consider means to provide incentives for training attendance, such as covering travel and per diem expenses for attendees in the NTC allocation.

3. Include professional training and membership affiliations in Individual Development Plans and Employee Performance Plan and Result Reports.

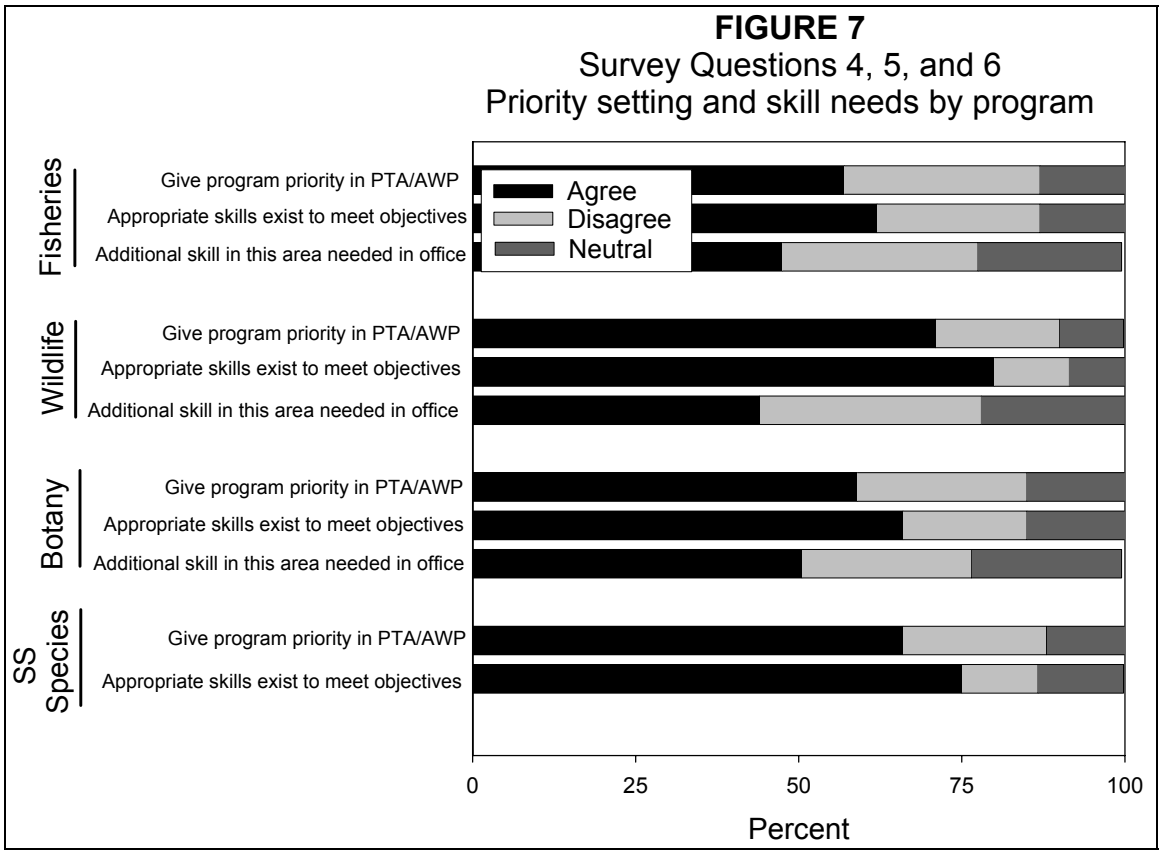
5.3 Objective 3 – CONFORMANCE OF WORK AND BUDGET PRIORITIES – Does the AWP provide sufficient direction to meet FWBSSS program objectives?

Work Priorities are defined in the annual appropriation, and are transmitted to the field through the AWP. Priorities should be consistent with the Bureau and Departmental strategic plans to support accountability goals in the Annual Performance Plan.

5.3.1 Findings – Program Priority Setting

Generally, state office and field office personnel are aware of the AWP and feel their work is consistent with national directives and priorities. In some cases, field offices thought that more specificity from the state office would help them better achieve state and national priorities. Of some concern was the perception that "everything" was a priority, and that priorities changed as frequently as on a daily basis; for example, information requests, such as data calls from the WO, were viewed as one of these changing priorities. State and field office personnel also expressed concern over a lack of coordination with data calls at the WO level.

Setting FWBSSS Program Priorities – For both the fisheries and botany programs, between 50 and 65% of staff agreed that these programs are given the priority specified in the PTA/AWP. Comparatively, a higher percentage of staff (between 65 and 75%) agreed that wildlife and special status species programs are given the priority specified in the PTA/AWP (Figure 7). The questionnaire findings support the notion that wildlife and special status species program priorities are more well understood than either fisheries or botany program priorities.



Botany program guidance has not been consistently included in all budget communications, because botany (or native plant materials development) does not have a separate subactivity. Hence, botany direction has been included in a variety of subactivity sections of the AWP, creating confusion at both the state and field office level.

5.3.2 Recommendations – Program Priority Setting

1. It is clear that work priorities at the state and field office levels need to better track with WO funding allocations to insure funds are spent on appropriate tasks. Because most states indicated that AWP direction is in general sufficient to guide FWBSSS program implementation, no additional recommendation is needed for generalized priority setting from the WO to the state and field offices. However, we recommend that the AWP should assign work expectations commensurate with the level of funding allocated. Continued analysis of MIS and application of full cost accounting principles should support base program adjustments that reward those areas (programs and states) completing work consistent with national direction and priorities.

2. We recommend that the WO increase the use of data available through the Budget Planning System to minimize repetitive information requests.

5.3.3 Findings – Programmatic Recognition

In general, fisheries and botany programs are not as well developed or integrated as wildlife or SSS programs into the overall BLM mission. The FWBSSS questionnaire data support this finding where, nationally, approximately 50% or less of staff agreed that sufficient fisheries and botany skills existed in their offices to meet program objectives, whereas approximately 75% or greater of staff agreed that sufficient wildlife and special status species skills existed in their offices to meet program objectives (Figure 7).

As noted above, over 25% of FWBSSS program NGO partners that identified FWBSSS programs as "Good", "Fair", or "Poor" identified insufficient internal priority as barriers to BLM's management of FWBSSS resources (Appendix G).

Discussion – The poorer development and integration of the fisheries and botany programs into the BLM mission, relative to the wildlife program (for example), appears to be related in part to a lack of staff having fisheries and botany program skills within the 401 Natural Resource Specialist job series – a job series commonly used to recruit staff to manage state and field-level resources programs in the BLM. Additionally, we found that wildlife and rangeland management specialists are frequently tasked with fisheries or botany program responsibilities, in a sense as "secondary" program responsibilities. With increasing complexity of resource issues and ongoing demands to support the burgeoning workloads associated with the multiple use BLM mission, our interviews and evaluation suggest that secondary program responsibilities become "optional" rather than necessary components of staff's work.

Fisheries and botany programs have substantially different technical skill needs and partners and contacts than those of the wildlife or range management programs. Although highly skilled in working in a multi-tasking setting, program specialists having full time jobs in series other than 482 (Fisheries Management) and 430 (Botany) program areas generally lack the time and expertise needed to build proactive fisheries and botany programs at both state and local levels. In addition, both fisheries and botany skills are needed for endangered species work (*e.g.*, conservation biology); more than half of the ESA listings are plants. The lack of specialized staffing (*i.e.*, program advocates) in fisheries and botany program areas correlates strongly with the lack of program development.

The Bureaus NGO partners expressed concern with the BLM's botany program (Appendix G). In general, partners responded that the BLM was doing mostly a "Fair" job managing FWBSSS resources (Appendix G). Proportions of "Good" and "Excellent" responses combined exceeded proportions of "Poor" responses for fisheries, wildlife, and special status species programs (*i.e.*, T&E), whereas for botany, the proportion of "Poor" responses was equal to the proportion of "Good" responses. NGOs have been a driving force behind the significant FWBSSS budget increases since 1987, hence this perspective suggests overall support of the programs is declining, with partners showing particular concern for the botany program.

5.3.4 Recommendations – Programmatic Recognition

1. Specific to the fisheries and botany programs, we recommend that national program leads in concert with state and field office program personnel and managers, develop national strategies for their programs to better define staff responsibilities, articulate program priorities and responsibilities. With management approval and support these strategies can align and integrate program goals into the Bureau's mission and strategic plan. Development of Annual Performance Goals as part of the Annual Performance Plan under the GPRA would highlight these programs and legitimize them as part of the BLM institution and mission.

2. The Botany program is not currently recognized as a specific subactivity in the budget allocation process. Congress funded a native plant materials development program in the 2822 subactivity, but suggested that the program be coordinated through the Plant Conservation Alliance, a partnership WO230 staff have developed and continue to foster. Hence, we recommend that WO230, in cooperation with budget and state office staff, conduct a formal analysis to determine if developing a botany subactivity is needed to support proactive work to manage native plant communities for integrity and the development of native plant materials for long-term restoration. In the interim, a botany section needs to be identified in all budget documents, including Justifications, PTA, and AWP, so that program responsibilities and direction can be adequately addressed. (Further recommendations regarding the development of the Botany Program, including native plant materials development, are found in Appendix J.)

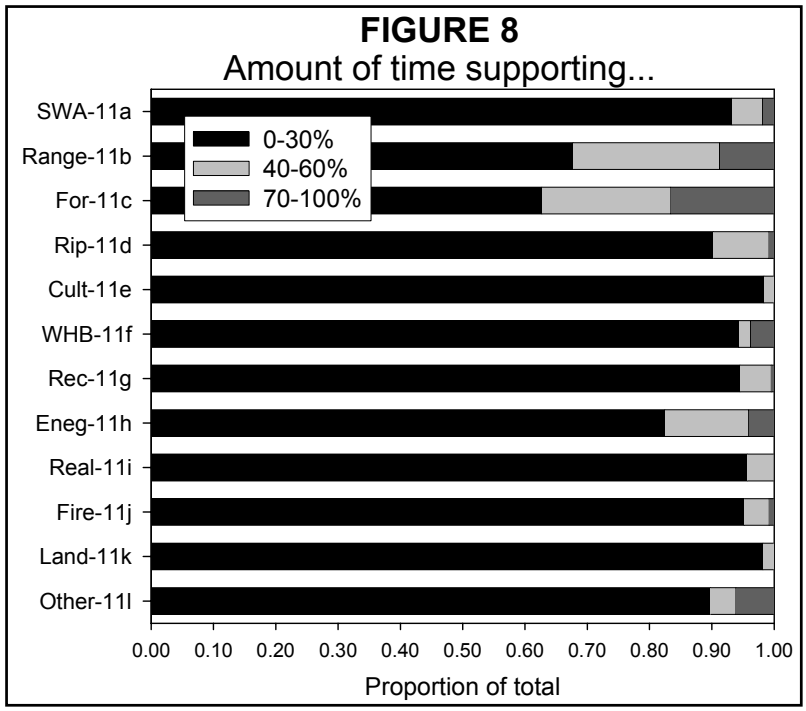
3. We recommend continuing funding from the 2822 subactivity for the development of native plant materials for use in burned areas; however, we also recommend the completion of a more thorough analysis of potential funding opportunities for native plant materials development, because of the cross-cutting nature and importance of native plants to a host of BLM programs outside of the Fire Program (*e.g.*, wildlife habitat restoration, energy development, mine reclamation, invasive weeds, *etc.*).

5.4 Objective 4 – BUDGET TRACKING AND PROGRAM ACCOUNTABILITY – Are benefiting function principles adequately applied; is MIS usefully for accomplishment tracking; do workload measures and program elements accurately describe work accomplished?

Fiscal integrity is an important element of overall program management, insuring Congressional intent in the appropriation is followed, while maintaining cost effective management.

5.4.1 Findings - Support to Other Programs

Over 80% of state and field office staff indicated that they spend at least a third of their time in support of other programs (Figure 8). Generally, over 90% staff responded that they spend at least 30% of their time supporting soil, water, and air (SWA), cultural resources (Cult), wild horse and burros (WHB), recreation (Rec), reality (Real), fire, and land acquisition (Land), whereas about 80% of the staff responded that they spend at least 30% of their time supporting the riparian (Rip) and energy programs (Eneg; Figure 8). Less than 70% of staff responded that they spend at least 30% of their time supporting range and forestry (For) programs. Additionally, only 25% of staff responded that they have adequate time and resources to represent their programs when supporting other Bureau programs, whereas 56% disagreed with this statement. The proportion of staff supporting various other BLM programs varies by state and within states. The implications for FWBSSS programs increase when programs requiring FWBSSS support may be insufficiently funded to pay for support costs.



Discussion - The questionnaire findings confirm that FWBSSS resource staffs provide key support services to many other Bureau programs. While support to other programs is a necessary component of the FWBSSS resource program mission, an undo focus on support activities erodes the proactive work conducted to support FWBSSS conservation efforts. Failure to fully recognize the normally reactive nature of workloads completed by FWBSSS program personnel, when working in support of other programs, is leading to a continued erosion of an already diminished proactive focus of FWBSSS programs.

The potential effect on BLM's multiple use land management mission could be particularly severe, for example, where support to other programs reduces FWBSSS staff's proactive work on threatened and endangered species management, or on species that are candidates for listing (*e.g.*, sage-grouse). The proactive implementation of habitat conservation measures (*e.g.*, through land use planning) is necessary to ensure proper regulatory mechanisms are in place to improve the habitat to the point where the provisions of the ESA are no longer necessary. A foreseeable and highly significant side-effect of a continued reactive focus of FWBSSS programs, could be an increased litigation risk regarding the adequacy of habitat conservation measures for listed and (or) candidate species; particularly in areas experiencing intense development, such as locations having substantive energy reserves.

5.4.2 Findings - Application of the Benefiting Subactivity Principle

Field units are attempting to code appropriately following the benefiting function principles as outlined in the national AWP. However, our interviews indicated that the concept of benefiting subactivity, while accepted as BLM policy, is inconsistently applied across BLM programs. This is due to inadequate funding of programs that require FWBSSS support, reluctance by those programs to fund support activities, and/or existing and general confusion over the interpretation of the benefiting subactivity principle. Because support work is seldom ceased when support funding is exhausted, FWBSSS funds are used to continue the support work to the detriment of proactive FWBSSS program implementation.

This finding is supported by the FWBSSS questionnaire data, where nationally, 50% of staff responded that other programs activities/subactivities fund their time when they do support work for them, whereas 41% disagreed with this statement (Figure 5b). For ESA section 7 consultation, nationally, 44% of staff responded that time spent in consultation is coded to the benefiting program or subactivity, whereas 39% disagreed with this statement.

Discussion - Insufficient staffing and funding have resulted in FWBSSS programs that are reactive to other program needs, rather than being proactive in managing FWBSSS resources. The inconsistent application of the benefiting subactivity principle is likely the primary reason why FWBSSS program staff feel their individual programs are insufficiently funded to be successfully implemented (Figure 5a), even though funding for FWBSSS programs over a 10 year period has increased by over 91%. Inconsistency in the application of the benefiting subactivity principle is also closely linked to program tracking and accountability findings and issues described in section 5.2.1.

5.4.3 Findings – Cost Coding

Staff attempt to accurately code their costs, but after mid-year insufficient funding in areas where work is being done impairs their ability to do so. Generally, offices having stable issues and little unplanned workload have improved cost coding, whereas offices having a high unplanned (*i.e.*, through-the-door) workload have a difficult time coding

with integrity for the entire year. The general impression was that due to basic funding issues and inconsistent application of the benefiting subactivity principle, managers were forced to make the difficult choice of either "making ends meet" by coding work to where sufficient budgets remained, versus continuing to charge work to where is was performed and risking substantive overspending of accounts.

The necessity to charge work where budgets remained versus where work was necessarily being performed diminishes the validity of accomplishment tracking data. This is particularly true when the PE representing the "work" is charged to a subactivity that is not related to that "work" (for example, charging 1150 funds to "Grazing Permits Issued (EE)). This misuse of funds creates the impression that those funds are not needed by that program. For example, approximately 30% of all 1100 funds allocated to the states are coded to PEs that do not directly relate or benefit the FWBSSS programs (see Appendix G).

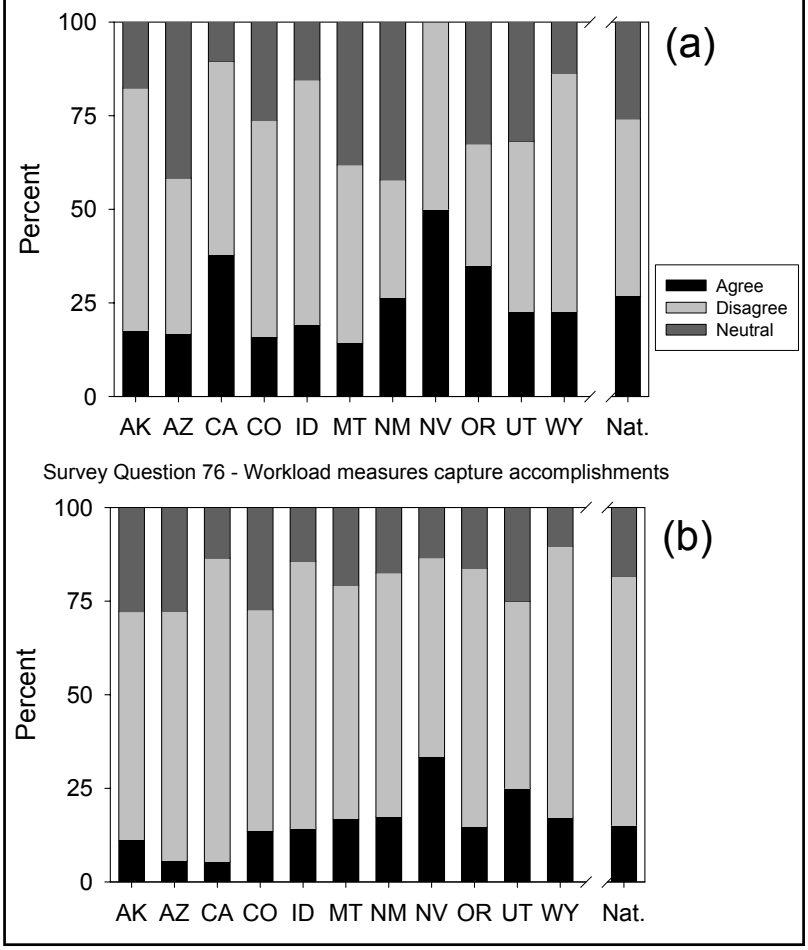
5.4.4 Findings – MIS Accomplishment and Budget Tracking System

The development and use of the existing MIS system has significantly enhanced the BLMs' ability to detail expenditure trends of program funds. The WO230 analysis of select MIS data for FWBSSS programs shows the utility of the system for identifying cost coding trends. The ability of FWBSSS program managers to identify the expenditure of funds on primary work elements, as well as those outside of the purview of a respective program, is uniquely essential for FWBSSS programs that provide a significant support role to other programs.

While many state and field office staff recognized the need for an enhanced budget tracking system, the majority of staff interviewed were ambivalent towards the utility of MIS for tracking budget and performance. Several managers felt that updates to MIS were not made in a timely fashion and that this resulted in many inaccuracies in the data. Many staff expressed concern with the WO's reliance on MIS data for base budget allocation recommendations. Staff were particularly concerned with the WO's use of MIS data in a seemingly punitive fashion to redress programs and subactivities within states that failed to achieve targeted work outputs (more discussion below).

The FWBSSS questionnaire data support this finding. Nationally, only 27% of staff responded that the MIS system has been useful in the management of their programs, whereas 47% disagreed with this statement (Figure 9a). The heightened ambivalence towards the MIS system is evident in the state-by-state proportion of respondents having a neutral response regarding the usefulness of MIS to manage their programs (Figure 9a). This suggests the tracking of costs is viewed as relevant by only a portion of staff.

FIGURE 9



5.4.5 Findings – Program Elements and Workload Measures

In general, staff interviewed indicated that FWBSSS program PEs insufficiently capture the intensity, scope, and magnitude of efforts needed to accomplish certain work. The FWBSSS questionnaire data support this finding where nationally, 15% of staff responded that the workload measures program elements effectively capture the accomplishments of the programs within which they work, whereas 67% disagreed with this statement (Figure 9b).

For example, current program elements/workload measures and project codes do not allow for the accurate tracking of ESA section 7-related consultation or recovery costs, which is a required annual reporting requirement to Congress. ESA consultation-related work represents a high percentage of work conducted by many FWBSSS staff. Most of this work is in support of other resource programs, such as forest management, grazing, recreation, realty, and energy development, and under benefiting function principles, should be coded to the host program element. Additionally, fish and wildlife subsistence management in Alaska, which is one of the largest fish and wildlife program workloads in the state, cannot be effectively tracked because no program elements exist to adequately track the workload. None of the restoration work in the botany and native plant materials development program is currently tracked through PEs or workload

measures. Unfortunately, FWBSSS resource staff indicated that project codes do not provide sufficient opportunity to catalogue this work, because many project codes compete with one another and the MIS only allows use of a single project code.

Many staff also expressed specific concern over the tracking of accomplishments at the field level; specifically, confusion on what "counts" within the accomplishment, and disparity between cost of accomplishment and the complexity of the work. For example, planning and project design may be accomplished one year, with implementation the next year. The work measure only "counts" once the project has been implemented. Complexity of a project can add significantly to the cost of the project. Currently, no means exist within existing PE unit of accomplishment measures to account for this difference; hence, if unit costs are high due to task complexity, field offices feel they may be penalized in their base budget allocations when unit costs are compared to other offices.

Other reasons staff indicated that current processes for measuring and reporting work accomplishments do not accurately reflect the true outputs include: (1) multiple subactivities report units of accomplishments by PE; (2) units reported by PE are not equal; (3) units reported do not provide the information required for other reporting needs (*e.g.*, ESA report to Congress); and (4) some projects span multiple fiscal years (as above). Finally, FWBSSS staff indicated that although performance measures were developed to help determine whether programs were meeting the Bureau's strategic goals, performance measures add extra layers of confusion, because there is no direct connection between workload measures/performance elements with the measure of performance.

5.4.6 Recommendations – Budget Tracking and Program Accountability (Integrated)

1. The BLM should review existing workload distributions and improve coordination among benefiting programs and FWBSSS support to enhance the tracking of workload needs. Support costs for FWBSSS staff working with other programs, such as Oil and Gas, Recreation, Grazing, and Lands, needs to be included in those programs' base allocations.

2. The lack of consistent application of benefiting activity principles directly affects the states' and field offices' ability to demonstrate compliance with FWBSSS program direction. We recommend that the Bureau develop a definition of "benefiting function" that has had wide review across programs, and recognizes the balance required to implement interdisciplinary projects without losing all accountability for costs to provide services to our publics. We also recommend that WO230 collaborate with budget and management information specialists to revisit and, if necessary, update policy guidance regarding the benefiting subactivity principle. We recommend that this assessment include analyses of budgetary data to determine if sufficient funding is available in programs to support FWBSSS work.

3. We recommend the WO230: (1) develop new guidance regarding accomplishment tracking and appropriate use of non-FWBSSS PEs to document expenditures in the FWBSSS subactivities; and (2) enhance, or develop new process for measuring outputs that more accurately incorporates the fact that each unit of accomplishment is not equal. The WO230 programs should work collaboratively with WO budget, state and field office personnel to insure this guidance realistically represents and is tied to on-the-ground actions. Implementation of this set of recommendations should improve understanding and field-level support of the MIS system (which is currently lacking), and improve the quality of performance and budget data used for base budget allocation recommendations.

4. We recommend the WO230 work collaboratively to conduct a comprehensive review and analysis of existing PE's to determine if PE's are: (1) meeting needs for describing major workloads, such as subsistence management, section 7 consultations, seed collection, and native plant materials development; (2) recording meaningful measures; and (3) equating to targets for performance measures.

5.5 Objective 5 – PROGRAM POLICY AND GUIDANCE – Do any policies need to be rescinded, and or what additional policies are needed to facilitate program implementation.

Policy development is a major element of the National Program and provides guidance for FWBSSS program implementation. Policy is developed consistent with existing laws and regulations, and is designed to facilitate implementation of BLM priority actions.

5.5.1 Findings – Policy and Guidance

In general, most staff interviewed did not identify specific national policies they felt need to be rescinded, or needed additional clarification; existing BLM policies were considered to be adequate. We observed a wholesale concern at the FO level regarding the WO decision to reconfigure the CCS program, primarily the decision to hold the final word on funding decisions with WO program staff. Many FO staff expressed concern that this decision would affect their ability to successfully compete for project funding. In a sample of FO's, staff expressed concerns over the potential workload impacts that may result from Migratory Bird Treaty Act implementation. Several offices also expressed a need for the WO to provide information on environmental litigation and an assessment on potential impacts or influence on BLM policy and activities.

5.5.2 Recommendations - Policy and Guidance

1. The WO needs to better coordinate national direction from various offices to reduce conflicting priorities.

2. Washington Office staff groups need to review the new Bureau litigation tracking system, and pursue analysis of those cases that carry implications to FWBSSS management.

3. Fisheries and botany programs are not as well integrated into BLM as programs supporting wildlife and threatened and endangered species management. The WO230 should review current policies in these two program areas and see if there are opportunities to include more specific direction in current policies.

CHAPTER 6

6.0 Other Major Findings: Inventory and Monitoring and ESA Program Implementation

Significant information on inventory, monitoring, and ESA implementation was obtained through the questionnaire, comments, and site visits to warrant a separate summary of findings. These findings carry implications to future FWBSSS program management, so recommendations have been made to address program needs.

6.1 Findings - Inventory

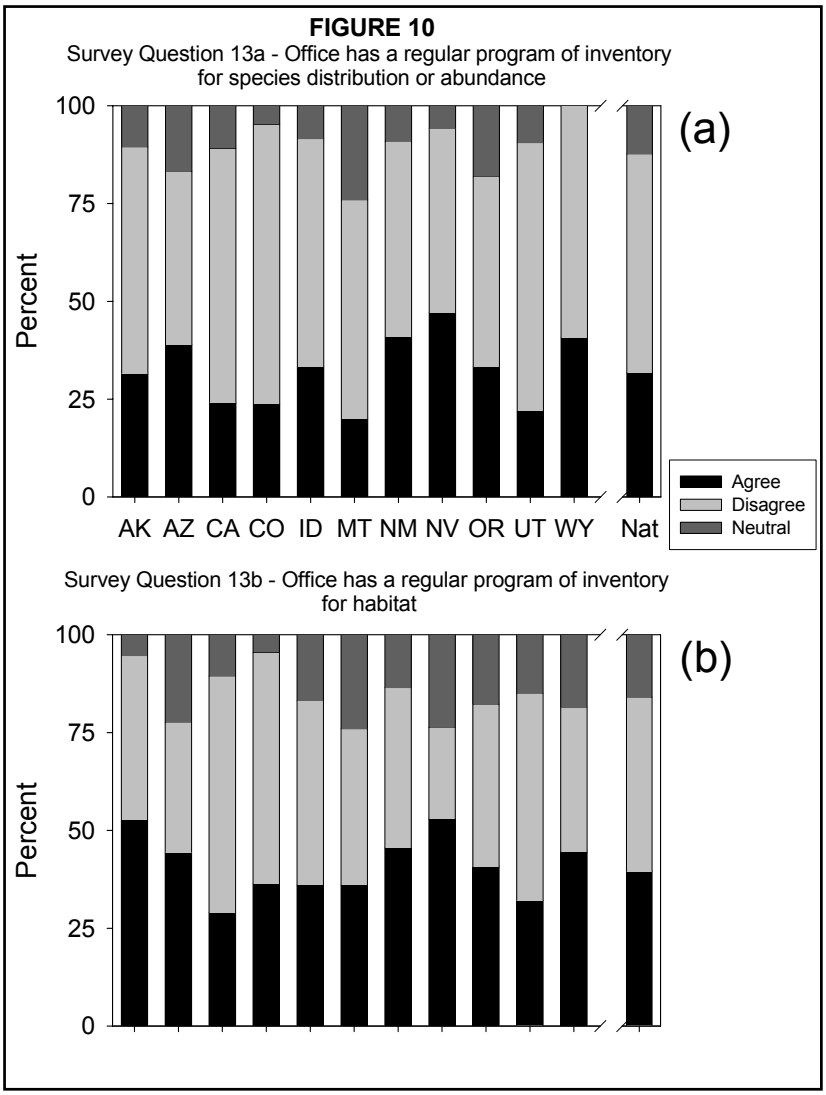


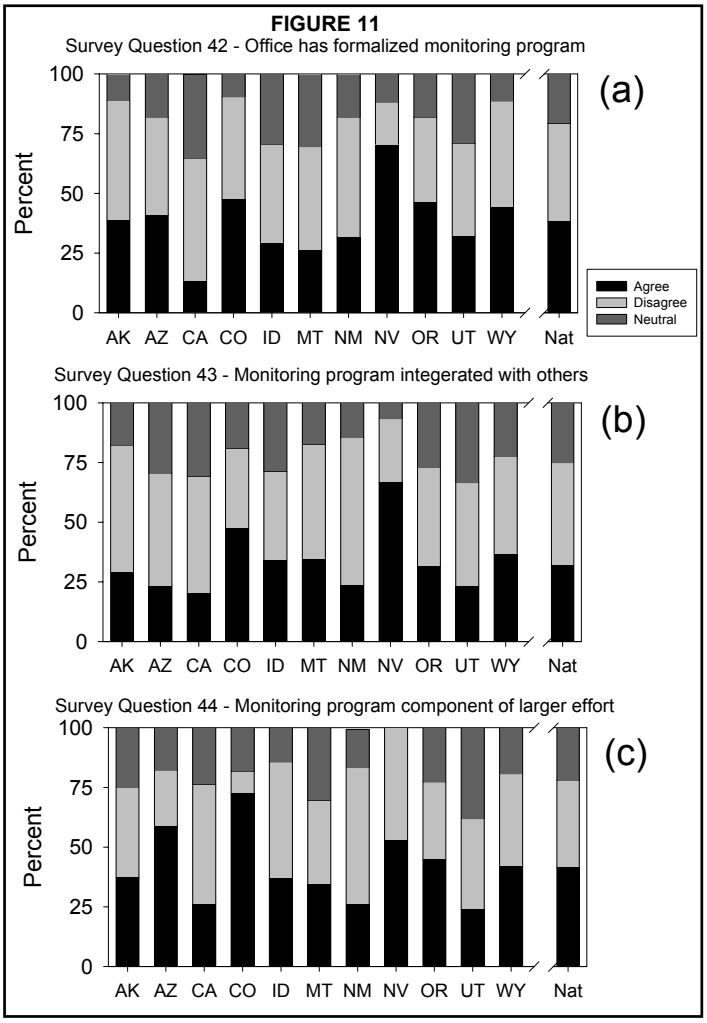
FIGURE 10

Field offices believe inventory of public lands is vitally important for the Bureau, and use a variety of mechanisms to perform local inventories of BLM-managed lands. Idaho, for example, is effectively using an existing interagency aquatic database to catalogue, store and disseminate information on aquatic habitats statewide – all information is transferable and usable across agency boundaries. In field offices where sufficient staff exists, funding is used effectively to gather information systematically; thus, enabling managers to make more informed decisions and prevent future land use conflicts.

Nationally, 32% of staff responded that their office has a regular program of scheduled inventory for species distribution and abundance, and 39% of staff responded that their office has a regular program of scheduled inventory for habitat (Figure 10a). The lack of a coordinated, national program for inventory of FWBSSS resources on BLM-managed land is problematic, because it is difficult to manage resources without full knowledge of their status on public lands. When inventory is performed, coverage of resources may be inconsistent, and in some instances, current office staff may be unaware of inventory efforts by previous employees.

6.2 Findings – Monitoring

Nationally, 38% of staff responded that their office has a formalized monitoring program; 32% of staff responded that their office monitoring program was integrated with others; and 42% of staff responded that their office monitoring program was a component of a larger effort (Figure 11a, b, c). In all cases, substantive variability among states was observed in the proportion of staff agreeing with the respective survey question. Generally, an equal or greater proportion of staff disagreed that their office has a formalized program that is both integrated with others, and part of a larger effort, than staff agreeing with those statements. Almost two-thirds of the respondents agreed that data collected are regularly used in analyses, reporting of resource condition, and in making management decisions affecting natural resources.

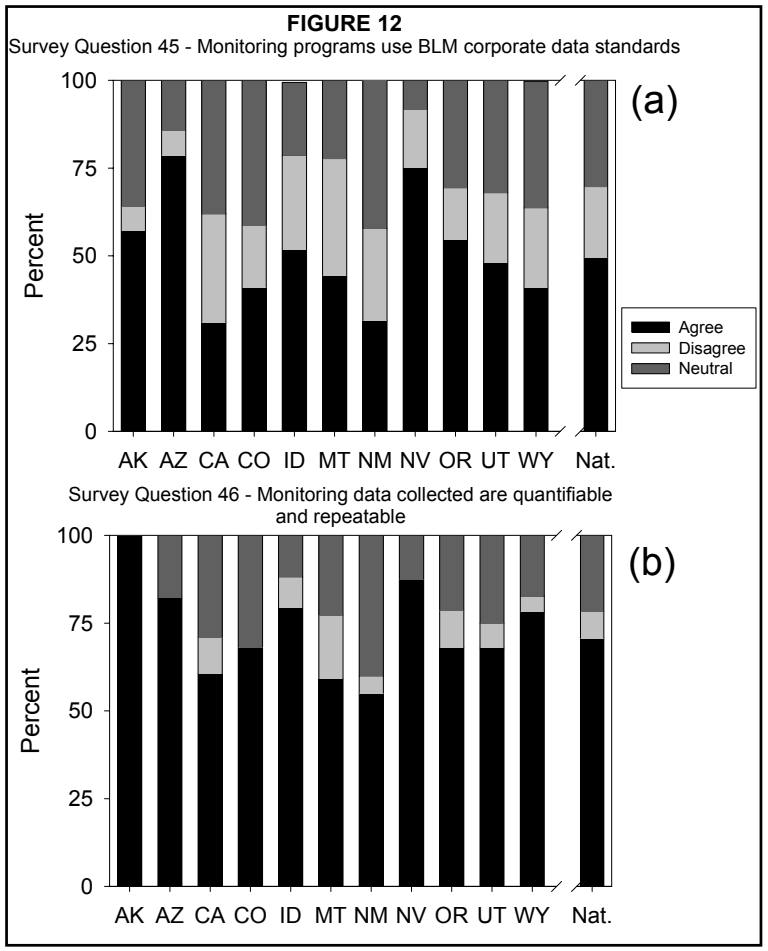


Nationally, 84% of staff responded that they (or contractors) use standardized survey methods and protocols for data collection. However, only one-third of respondents think that contractors are an effective method of accomplishing the monitoring work for the Bureau, indicating a lack of consistency in how monitoring work is completed.

6.3 Findings – Monitoring and Data Standards

Nationally, 50% of staff responded that their monitoring program uses BLM corporate data standards, and 71% responded that data collected in their monitoring program are quantifiable and repeatable (Figure 12a, b). Substantive variation existed in staff's response to the question regarding the use of BLM corporate data standards. Arizona and Nevada recorded the highest proportions of agree responses, with values near or exceeding 75%, whereas California and New Mexico had the lowest proportions of agree responses with values near 25-30%. In all cases, however, the proportion of agree responses to the question of the use of BLM corporate standards was greater than the proportion of disagree responses.

FIGURE 12



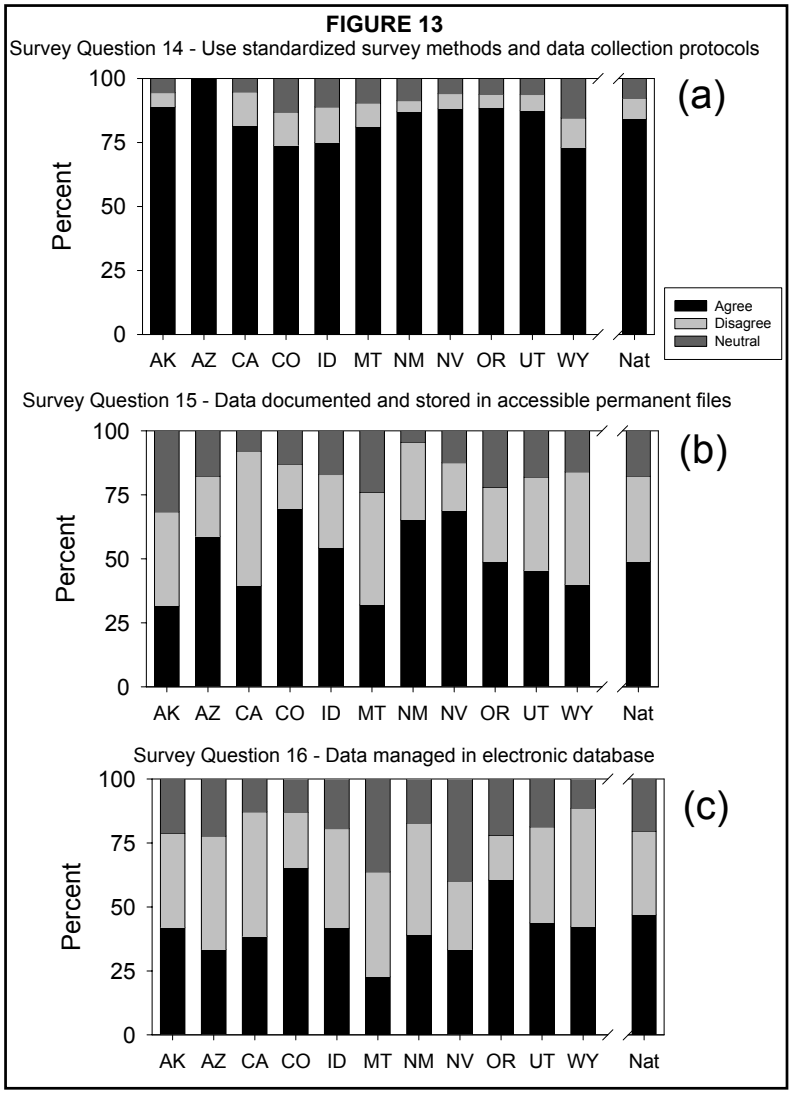
Nationally, 49% of staff responded that data generated from inventory and monitoring efforts are documented and stored in easily accessible permanent files and 47% of staff responded that data are managed in an electronic database (Figure 13a, b, c). Two-fifths of respondents agreed that their data are spatially oriented in GIS.

6.4 Recommendations – Inventory and Monitoring

1. Develop and fund a national inventory and monitoring program for the Bureau's FWBSSS resources, as well as native plant communities on BLM lands. Establish protocols for data collection, storage and retrieval, and provide the funding necessary for such a program.

2. Convene a panel of experts, including National Science and Technology Center staff, to explore various databases and recommend adoption of one database (*i.e.*, USDA Forest Service database with data standards for flora, fauna, and water, or State Heritage Programs).

FIGURE 13



3. Because monitoring is a requirement of NEPA, further investigate resource monitoring to determine whether minimum needs are being met. Evaluate individual monitoring programs to determine applicability to other areas. If so, establish national standards for minimum LUP and project level monitoring of FWBSSS resources. Evaluate existing indicators and survey parameters to determine sufficiency in supporting cross-cutting inventory and monitoring requirements. Based on this evaluation, where possible, develop an inventory and monitoring program that meets multiple scale and office needs.

4. Ascertain monitoring requirements of existing biological opinions to determine if consistency can be applied across programmatic actions subject to ESA section 7 consultation. If so, standardize monitoring methods to increase cost efficiency through application of statistical survey design criteria.

5. Working with the National Science and Technology Center, convene a team of field and state level representatives to identify common data needs across administrative boundaries to support broad-scale multi-species assessment needs. Review previously completed data standards to determine current-day relevance and re-establish national data standards for these data elements.

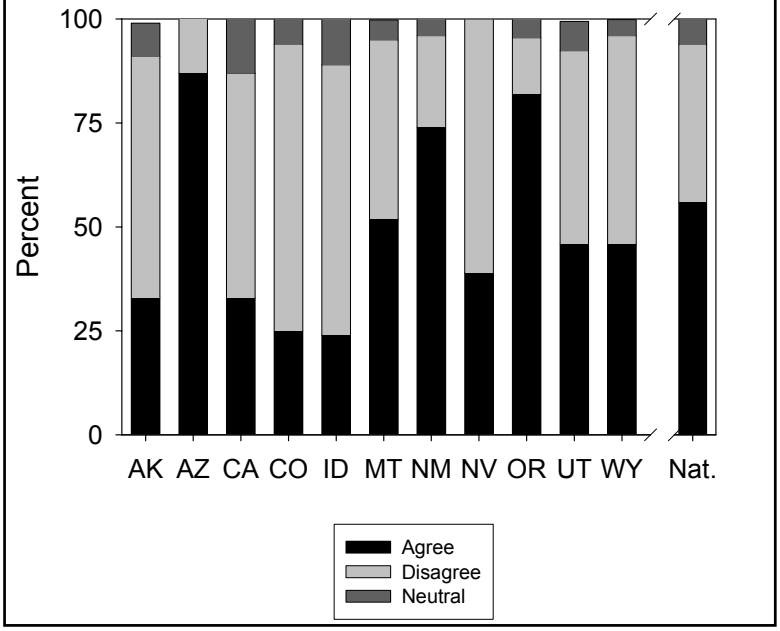
6. Assign workload measures consistent with the data standards to meet minimum information needs and establish program accountability for data acquisition.

6.5 Findings – Endangered Species Act Implementation

Implementation of the ESA represents a significant workload for BLM and FWBSSS resource staffs. Not only must consultation requirements be met for all federal actions which "May Affect" a listed species, proactive species conservation and recovery work is directed through BLM policies and the ESA. Proactive species work is intended to keep species from being listed; however, it is generally the first thing that is dropped or eliminated when staffing and funding resources are limited.

By far the largest ESA workload is section 7 consultation. The survey indicates a high level of conformance with the ESA, with over 83% of the respondents stating all actions have completed consultations prior to implementation. In general, there was little variability between states in their responses, suggesting that the majority of staff are aware of their consultation responsibilities under the ESA and are intent on meeting legal requirements. This is further supported with responses to question 56, where 71% of the respondents indicated all projects were in compliance with mandatory terms and conditions contained within biological opinions. Although agreement is high in response to this aspect of the ESA, the law requires total conformance with the Act. These results would suggest that there are BLM actions that are not consistent with the Biological Opinions (BOs), and hence, re-initiation of section 7 consultation is needed.

FIGURE 14
Survey Question 50 - ESA consultation on LUPs is current and up-to-date



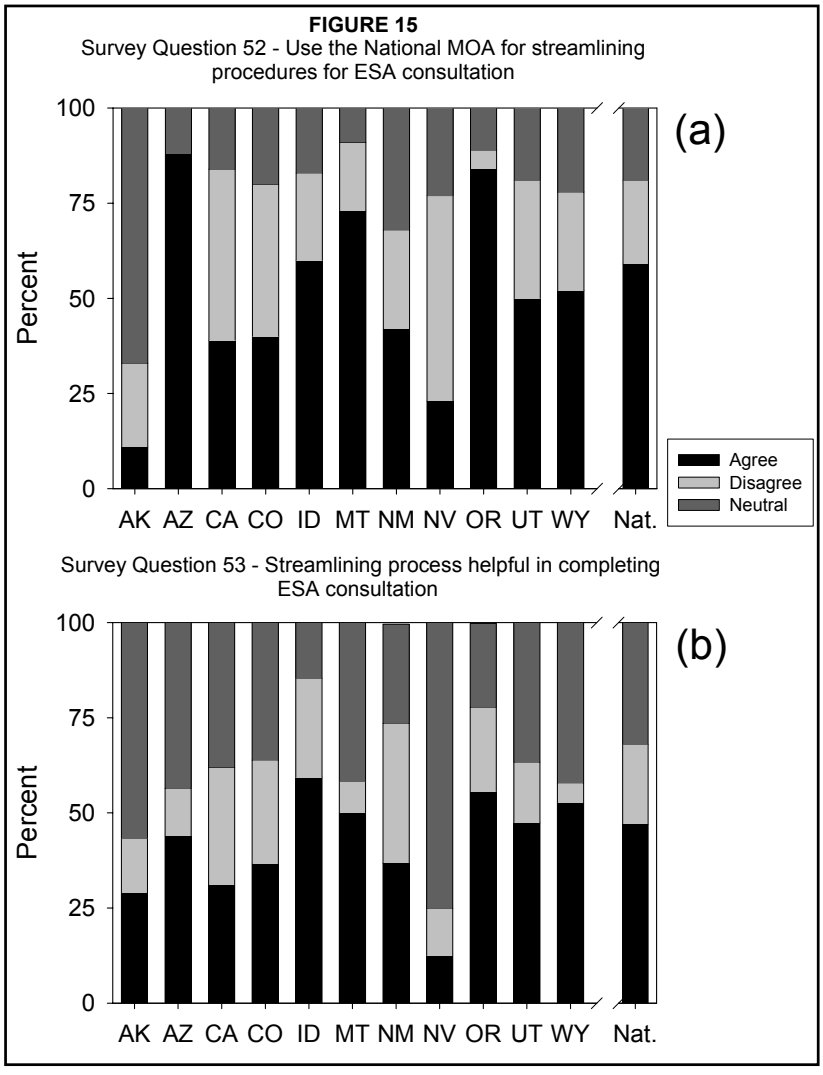
The FWBSSS questionnaire results found that 56% of staff agreed that ESA consultation on LUPs is current and up-to-date, whereas 38% of staff disagreed with this statement (Figure 14). The lack of variability between certain states (*e.g.*, AZ, NM, OR) illustrates that those states that have had a significant litigation history with this issue have more plans with up-to-date

consultation. Currently, all states are working to implement their LUP consultation strategies; however, some states are farther along than others.

Discussion - A Ninth Circuit court decision in 1994 verified that agency plans constituted a federal action, and under the ESA, were subject to section 7 consultation requirements. Prior to that time, the BLM did not consult on Resource or Land Use Plans. A report on the effects of ESA listings on BLM programs and activities completed by the Bureau, at the request of Congress in FY2001, indicated the majority of plans lacked consultation and required species conservation strategies. This report included estimates of needed funding to make new plans legally sufficient under the ESA.

To facilitate section 7 consultation on plans and activities, the BLM, along with the Forest Service, NOAA Fisheries, and FWS developed a Memorandum of Agreement to streamline section 7 consultation. The intent is to encourage early participation by the Services in the development and review of land management actions, to minimize conflicts later in the consultation process. A benefit of this early involvement was to expedite response time in the completion of consultation documents. Seventy-five percent of the respondents agreed that their office is using (or has committed to use) the MOA for streamlining procedures to complete consultation on LUPs.

FIGURE 15



Nationally, 59% of staff agreed that their office was using the national MOA for streamlining procedures on ESA consultation on projects and programmatic actions, with substantive among-state variability occurring in agree, disagree, and neutral responses (Figure 15a). Despite the intent for the streamlining procedures to facilitate consultation, only 47% of the respondents found them to be helpful in completing ESA consultations (Figure 15b). States that used the streamlining procedures (*e.g.*, Idaho and Oregon) tended to have a higher proportion of staff providing

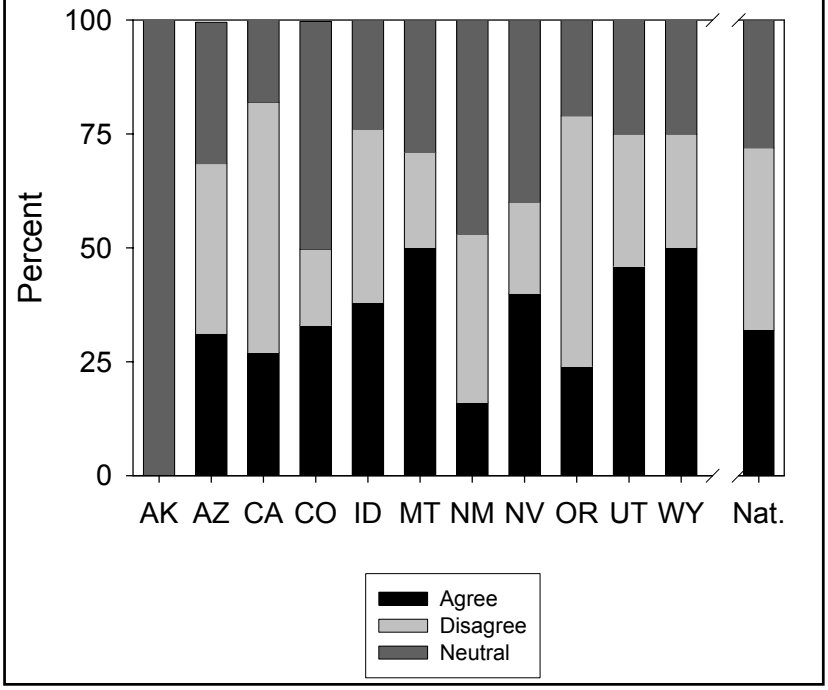
"agree" responses, although the comments received from those states would suggest the opposite is true.

Although streamlining procedures are designed to expedite consultation, surprisingly, only 32% of staff agreed that they receive their Letters of Concurrence or BOs within the timeframes specified in the MOA (Figure 16). The lack of variability between states, coupled with the high level of respondents who disagreed with the statement, suggest this is a wide-spread problem.

In addition to the Streamlining MOA, the Washington Office, in cooperation with the FWS, created an interagency Consultation Assistance Team (CAT) to assess each state's LUP section 7 status and help state BLM and FWS staffs develop strategies for initiating and completing section 7 consultation on their plans. This work was occurring concurrently with the program review (Oct. 2001 – Feb. 2002). The questionnaire results agree with the CAT findings: land use plan consultations are not current, nor do they contain sufficient species conservation and recovery components.

FIGURE 16

Survey Question 55 - Receive letters of concurrence and biological opinions within streamlining guidance time frames



Consistent with findings made in the Budget section of this review, benefiting function principles are not being consistently applied to section 7 consultations. About 44% of the respondents indicated that the program for which they were consulting did not fund the consultation work. Interviews during site visits indicated that the 1150 activity is funding many project and plan level consultations. The lack of variability between states in their responses on this question suggests this is a common problem. This impacts the Bureau's ability to accurately track true costs of work under the Activity Based Costing system. For example, the true cost of processing a grazing permit cannot be accurately determined if section 7 clearances are charged to the 1150 budget activity.

In spite of the tremendous consultation workload, the survey findings suggest some proactive species work is being done, with 54% of staff agreeing that their office manages proactively to prevent future listings of sensitive species. Interviews during site visits indicated that less proactive species conservation work is actually being accomplished, because the consultation workload overshadows other aspects of the special status species program.

6.6 Recommendations - Endangered Species Act Implementation

1. Establish an implementation monitoring system bureau-wide to track conformance with mandatory terms and conditions within final BOs. This will provide the agency a system of accountability to improve legal defensibility of actions with completed consultations. In addition, it provides an opportunity to review terms and conditions for similar actions across broad geographic areas, which can lead to improved consistency between BOs and their implementation.

2. Develop a recovery program that more fully implements tasks from the federally approved species recovery plans. Tasks have been identified in the implementation schedule of each recovery plan with responsible agencies indicated. The BLM is identified as one of the responsible agencies in more than 200 recovery plans for the species that occur on BLM managed land. To assist in the successful recovery (getting species off the ESA) of species on BLM land we need to develop a stronger more proactive approach to recovery and implement more of the BLM tasks identified in the recovery plans. The same is true for candidate and sensitive species; the BLM needs to implement actions in conservation strategies for those candidate species on BLM managed land. Implementing recovery tasks may assist in getting species off the ESA list and implementing conservation actions will help to keep species from being listed.

3. Continue to clarify in the AWP benefiting function principles to highlight the requirement for the hosting activity to pay for ESA section 7 support costs. Additional recommendations on MIS, program elements, and workload measures can be found in the Budget and Accountability section of this report.

4. Develop a specific tracking system that identifies all proactive species conservation and recovery work that is completed under section 7(a) (1) of the ESA. This will provide detail to determine sufficiency in meeting agency performance standards under Annual Performance Goals 02.02.04.01 and 02.02.04.02, and will enhance mandatory reporting requirements to Congress under the ESA.

5. Establish a work responsibility between WO230 and the Solicitors Office to evaluate relevant court decisions and case law to either establish or update Bureau policies that facilitate implementing the ESA. Provide these policies to state and field offices in a timely manner.